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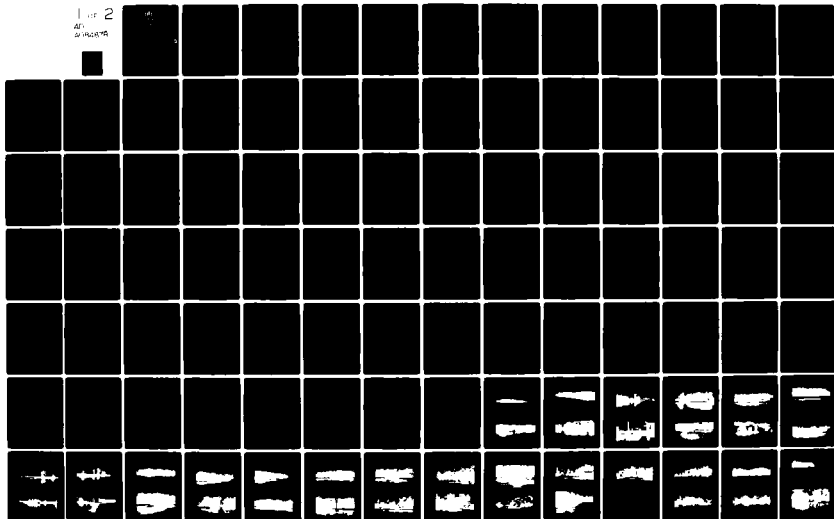
COAST GUARD DISTRICT (2ND) ST LOUIS MO
GREAT II FLEETING SURVEY FOR THE COMMERCIAL TRANSPORTATION WORK--ETC(U)
1979 W HINES

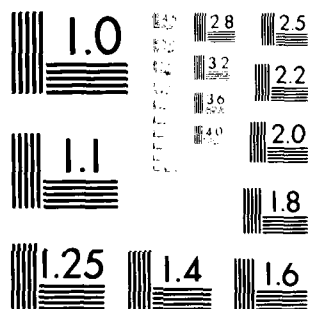
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1 of 2
AD-A084 878





MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

12
①

LEVEL II
⑥ GREAT II
FLEETING SURVEY

FOR THE COMMERCIAL TRANSPORTATION WORK GROUP
OF THE GREAT RIVER ENVIRONMENTAL ACTION TEAM (GREAT II)
ROCK ISLAND DISTRICT CORPS OF ENGINEERS,

ADA 084878

⑫ 154

⑪ 1977

DTIC
ELECTE
MAY 29 1980
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④
K. C. H.
Jun - Oct '77

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for public release and sale; its
distribution is unlimited.

⑩
PREPARED BY LT WILLIAM HINES, JR.
COMMANDER, SECOND COAST GUARD DISTRICT (dcw)
1430 OLIVE STREET
ST. LOUIS, MISSOURI 63103

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UNITED STATES DEPARTMENT OF COMMERCE
National Technical Information Service
5285 Port Royal Road
Springfield, Virginia 22161

Date 22 May 1980

NTIS Control # 14 3026

TO: Defense Technical Information
Center - DTIC
Cameron Station
Alexandria, Virginia 22314

FROM: NTIS, Input Branch
5285 Port Royal Road
Springfield, Virginia 22161

Report # GREAT 2

ADA # _____

Title: GREAT 2 - Fleetings Survey - for the Commercial -

Subject report is ☒ Standard Process ☐ STG report. STG - Special
Technology Group. ☐ Computer Product ☐ Follow up date _____

☐ The report will be accessioned by DDC. The form noting the ADA number
is returned.

☐ The report has been assigned the ADA number noted above and is returned
to NTIS for processing.

☐ DDC will not process the report. It is returned to NTIS

Mag Tape Price _____
PC & MF Price _____

Source DOD A

Stock Quantity _____

Source Share _____

Comments:

Dottie Adams
Processor

Signature (for billing)

Copy when completed to
Finance Branch

DOD Report Action Request
(Replaces NTIS-164 5-72)

Please return this form to NTIS - Input -
attention: Dottie Adams

①

Fleeting Area Survey

This study was initiated by the Commercial Transportation Work Group of the GREAT II Study. It was conducted by LT William HINES, USCGR during the period from June to October 1979.

→ Survey Objectives: *were:*

- A. ✓ To identify areas used for fleeting within the Rock Island District, Corps of Engineers (Encl. 1).
- B. ✓ To document and evaluate the physical condition of fleeting areas;
- C. ✓ To identify the impacts of fleeting and assess shoreline damage in fleeting areas, and to recommend preventive measures that are both environmentally viable and economically feasible. *✓ p. 6*

Survey Method:

- A. Field visits by commercial towboat trips covering the entire Rock Island Corps of Engineers District.
 - 1. First trip St. Paul-Minneapolis to Rock Island, IL. From 24 to 29 June 1979.
Boat-COLONEL GEORGE LAMBERT
Owner-Twin City Barge and Towing Co.
Size-141'x43'
Height-44'
Tow Size-9 barges of corn and soy beans. Increased to 15 barges on 25 June 79.
Captain-Jack Paley: River experience 17 years. 7 years as Pilot or Captain.
 - 2. Second trip Alton, IL. to Rock Island, IL. 9 to 12 July 1979.
Boat-W.S. RHEA
Owner-Valley Line
Size-176' X 40'
Height-45'6"
Tow Size- 15 barges, 12 coal, 3 empty
Captain-Charley Horton; river experience over 30 yrs with over 18 yrs as pilot Captain on Upper Mississippi.
- B. Field Visits by small boat to conduct on site inspections, and take photographs in selected areas. These areas were:
 - 1). The Dubuque, Iowa area from RM 556 to RM 616 which is inclusive of Pools 11 & 12.
 - 2). The Rock Island, Illinois area from RM 457 to RM 523 which is inclusive of Pools 14, 15, & 16.
- C. Personal and telephone interviews.

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distribution is unlimited.

• Constraints:

A. Time and money prohibited the inspection of all fleeting areas. Criteria used in selecting a pool and within that pool were:

- 1-Size
- 2-Frequency of use
- 3-Quantity in pool
- 4-Variety of mooring techniques

- a. Fixed mooring
- b. Mooring to trees
- c. In river mooring

Background:

A. Fleeting areas are those areas where barges are moored other than at commercial loading facilities, docks, harbors, etc. It is a necessary and indispensable activity for commercial river traffic. It provides an area where barges can be stored while others are being either loaded or unloaded at a dock or terminal. Terminals can only handle a few barges at a time while a completed tow consist of up to 15 barges. Fleeting areas therefore serve a purpose similar to railroad switching yards. Without fleeting areas the commercial traffic could not exist with any degree of efficiency unless the terminals themselves were designed to load or unload all the barges in a tow. In most cases such an arrangement is highly impractical due to other development or use of adjacent areas.

The effect of not having fleeting areas in the proximity of the terminals they serve will result in increased cost to the shipper and consumer, greater fuel consumption and inefficient utilization of equipment.

B. A number of physical, economical and safety constraints act to limit acceptability of fleeting sites. Some of these are:

1. Proximity to users
 - a. in same pool
 - b. within 5 miles of facilities
2. Sufficient water depth
 - a. eleven or twelve feet for loaded barges
 - b. six to seven feet for empty barges
 - c. deep water access to navigation channel
3. Secure tie offs
4. Safe distance from navigation channel
 - a. to prevent hazard to commercial tows and pleasure boaters
 - b. adequate area for ease of addition and deletion of barges.
5. Safe distance from other activities and structures

• C. There are two types of fleeting areas:

1. Historical - These are areas where fleeting has traditionally taken place. However, to my knowledge no time frame has been established to determine what qualifies an area as historical. It appears, to be however, any site used before the individual Corps district began exercising permit authority in their area (Encl 1).
2. Permitted - Areas specifically designated for fleeting by the COE through the formal application and approval of a Corps permit. Corps interpretations are that Section 10 applies only to fleeting areas when fixed mooring devices are proposed. The Corps feels that barges moored in the water are under Coast Guard jurisdiction, as provided by the Ports and Waterways Safety Act of 1972 (Encl 1).

D. Permitting Process

1. There appears to be no authority that specifically permits or denies fleeting. The United States Corps of Engineers (COE) has assumed responsibility for the issuance of fleeting permits based upon section 10 of The River and Harbor Act of 1899 (Encl 2). This act regulates construction in, on and over the navigable water of the United States. It appears, however, that each Corps district has some latitude in exercising this authority over fleeting within their district.
2. In order to obtain a fleeting permit the applicant must submit a written request to the COE. The request must contain a detailed drawing and specify location, method of mooring and maximum barge capacity (Encl 5). The Corps of Engineers is the issuing authority for fleeting permits. As part of its permitting process the COE issues public and written notices, Requests and considers comments by other local, State and Federal agencies as well as interested individuals and organizations. At this time only 5 permits have been issued in GREAT II (Encl 6a-e)
3. In the Rock Island COE district the number of entities which may object to fleeting permit requests are, according to RI COE, approximately one hundred and twenty five (125). If any of these entities object, the COE notifies the applicant, who must then try to work out a compromise with the objectors. If no solution can be reached, the district engineer may decide to grant the permit, hold public hearings, or submit to higher authority for a decision.
4. A sufficient number of objectors, or an excessive delay, may cause the applicant to abandon the permit and to reapply for an alternate less desirable site. To Date five permits have been issued in the Rock Island District, one of which took 17 months to process.

- 5. Although there are many different agencies which may express concerns about fleeting permits, the principal objections seem to originate from, or be concerned with fish and wildlife, pleasure boaters and environmentalists. Objections by these and other agencies often make the review and compromise process quite lengthy and costly to the applicant, due to loss of rent monies, business limitations and possibly new site development work. The net effect of this seems to be the exact opposite of that which the objectors hope to accomplish; less environmental, ecological and aesthetic damage. This is true because the fleeters have the option of using the "historical fleeting sites" where few regulations govern. In historical fleeting sites the COE and Coast Guard have very limited regulatory powers. Both may regulate to prevent hazards to navigation and the Coast Guard enforces the lighting requirement on fleeted barges. These are the primary preventive enforcement measures taken at these sites. In these areas trees are the common mooring device. Fleeters may give considerations to the environment, ecology or aesthetics although there is no requirement to do so.
- 6. Before a permit can be issued the permittee must lease or buy the land. There have been occasions when the fleeter leased the land, applied for a permit, and was involved in a long permitting process. This put the applicant in the position of paying rent for land he cannot use until the permit is approved, or if disapproved, paying rent on land he cannot use. If the permit is for Federally owned land, and fixed mooring devices are to be installed, the Corps real estate department establishes a rental price in relation to other rents in the area. If no fixed mooring devices are to be used, and tie offs are to trees, there is no charge. This option gives companies little incentive to apply for permits, none for making capital improvements, and encourages the use of historical fleeting sites.

Physical Effects:

- A. Fleeting is a natural by-product of industrial and agricultural development. As these industries continue to expand, so will the need for more commercial river traffic and fleeting areas; along with the controversy over damages caused by fleeting. There can be no doubt that barge fleeting causes some physical effect to the shore line and its environs. However, so do many other activities I observed during my inspection trips; such as island farming, campers and picnickers with their campfires, litter and garbage, wakes from high speed pleasure craft running close to the shore, etc. Comparison of shoreline erosion in fleeting areas, to shoreline erosion observed elsewhere, makes obvious the fact that natural erosion is significantly more detrimental. Enclosure (7) is a photographic file of fleeted and non-fleeted areas.

- B. Physical effects to the shoreline of fleeting areas appears to be limited to uprooted trees and resulting bank erosion. This is contributable to two principal factors:
 1. Improper tie ups.
 - a. To trees of insufficient size.
 - b. Too many barges tied to a single bow line.
 - c. Areas subject to surging from wind or passing commercial tows causing excessive strain on mooring lines & trees.
 2. As trees are uprooted due to natural causes or fleeting the wheel wash, surging of the river, and the natural cutting effect of the current tends to increase erosion of the shoreline.

Environmental Effects.

- A. The parameters of this report excluded environmental studies. However the following observations are offered:
 1. No observed fish kills in fleeting areas.
 2. Sport Fishing was observed in fleeting areas.
 3. Many types of birds were observed in fleeting areas and some feeding on barges from spilled grains.
- B. As stated elsewhere in the report, some shore erosion was observed. It is difficult, however, to discern the degree of erosion due to fleeting from that of natural cutting. Fleeting requires deep water and most deep water close to shore exists because of natural cutting of the bank by the river.
- C. In determining the amount of physical damage, reference points in adjacent areas, as well as areas remote from fleeting activities, were used. Many of the remote sites were in areas where no fleeting has or could occur due to shallow water, wing dams, stumps etc. A significant number of these areas displayed a shoreline condition similar to, and often greater than, the effects found in fleeting areas. This damage can only be the result of natural causes.
See Enclosures

Breakaways:

- A. Fleeting area breakaways do not seem to present a major problem either in frequency or damage caused. However, the potential for both exists and economic loss could be considerable even from a one barge breakaway. The river towboats, much like ships at sea, are

- bound by law and tradition to aid each other in avoiding or correcting accidents on the river. This cooperative effort is demonstrated by the breakaway at Williams Marine on June 1, 1979 (Encl 3b).
- B. All reported barge breakaways are investigated by the Coast Guard under title 46 USC, Chapter 33 (Encl 4). Which deals with negligent use of a vessel. There were five breakaways occurring in GREAT II from January 1, 1978 through June 7, 1979 that were reported and investigated (Encl 3a-e). In relation to number and size of fleeting areas these do not appear significant.
- C. It is Second Coast Guard District policy to view any breakaway as "prima facie" evidence of negligent use of a vessel and assess a fine in each case unless extremely mitigating circumstances are found by either the investigating or hearing officer.
- D. The principal causes of fleeting breakaways seem to be improper vessel mooring and surging due to wind or passing tows. Surging from passing tows is a particular hazard in areas where fleeting is close to the channel. A third cause of breakaways is vandalism. This appears to be a minor problem in GREAT II at this time but examination of breakaways in GREAT I and other areas reveals it could increase.

Summary

1. Fleeting is a necessary and vital link in the economic health of the GREAT II area.
2. Fleeting acts to serve existing industry and does not necessarily precipitate new industry.
3. Physical damage as a direct result of fleeting seems to be minimal, particularly when considered in contrast to the damage due to natural causes.
4. Fleeting is not a significant user of the available shoreline. In pool 16 where fleeting is relative heavy, compared to other pools, there are 231 miles of shoreline and fleeting may occupy a little more than 1/2 of 1%. ←

Recommendations

1. That fleeting needs to be considered in any future economic development that utilizes river transportation.
2. The permitting process be streamlined in order to reduce processing time by placing a maximum time limit for resolution of objections.
3. That the Corps consider only those objections to a permit application based on known fact and not on supposition, theory or hypothesis.

- 4. That the COE conduct a study to identify areas suitable for fleeting.
The study should be consider parameters for environmental assessment as well as those parameters that will meet industry needs.
- 5. That dredging be considered as an alternative where need justifies and economic and environmental concerns can be met.
- 6. That COE apply for funds to locate and remove sunken barges.

Encl: (1) List of GREAT II Area Fleeting Areas
 (2) Rivers and Harbors Act Extract Mar 1899
 (3) Coast Guard Barge Breakway Reports
 (4) Title 46, Ports and Waterways Safety Act Extract
 (5) Typical Public Notice for Fleeting Permits
 (6) Permits for GREAT II Fleeting Areas
 (7) Photographs of Fleeted and Non-fleeted Areas

Accession For	
NTIS	ORAI
DDC TAB	
Unannounced	
Justification	
By _____	
Distribution/ _____	
Availability Codes	
Dist	Avail and/or special
A	EP

FLEETING AREAS		BARGE TIE--UPS							PERMIT (1)
POOL	DESCENDING SIDE OF RIVER	RIVER MILE	OPERATOR	PROPERTY OWNER	CAPACITY	AVERAGE	MECHANISM	DRAFT (ft)	STATUS
11	RDB	605.5-608	Wisconsin Barge Lines, Inc.	U.S. Govern. Fish & Wildlife Serv.	80	30-40	Trees	12	Application for permit submitted, plans for 20 dead men.
12	RDB	580.6	Newt Marine Serv.	City of Dubuque	12	6-12	Special barge to be constructed	10	Permit obtained (07015)
12	RDB	579.6	Wisconsin Barge	Fisher Invest- ment Company	15	15	Spud Barge	10	Permit obtained (06960)
12	LDB	579	Newt Marine Serv.	U.S. Govern. Fish & Wildlife Service	15	6-15.	Dead Men with anchor chains	10	None
12	LDB	578.5	Unknown	Government Property	Unknown	Unknown	Trees	Unknown	None
12	LDB	575.5-576.5	Newt Marine Serv.	Government Property	60	10	Trees	Unknown	None

Enc1-1

FLEETING AREAS		BARGE TIE--UPS						PERMIT STATUS	
POOL	DESCENDING SIDE OF RIVER	RIVER MILE	OPERATOR	OWNER	CAPACITY	AVERAGE	MECHANISM	DRAFT (ft)	PERMIT STATUS
14	LDB	571.7	Lewis & Lawson Harbor Service, Inc.	Same	30-40	15-25	Trees (pile clusters are to be constructed)	12	Permit obtained for pile clusters (015420)
14	RDB	517	Lewis & Lawson Harbor Service, Inc.	Private Individual	20	10	Trees	12	None
14	LDB	516-517	Lewis & Lawson Harbor Service, Inc.	State of Illinois	20	10	Trees	12	None
16	LDB	474.6-475.6	Williams Marine Enterprise, Inc.	U.S. Government	15-20	15-20	Trees	15	Permit obtained (068560)
16	LDB	472-4727	Williams Marine Enterprise, Inc.	U.S. Government	15-20	15-20	Trees	9-15	None
17	RDB	454	Williams Marine Enterprise, Inc.	Unknown	15-20	15-20	Trees	9-15	None
17	LDB	453.4-454	Williams Marine Enterprise	Private Individual	15-20	15-20	Trees	9-15	None

Enc 1

FLEETING AREAS DESCENDING POOL SIDE OF RIVER		RIVER MILE	OPERATOR	OWNER	CAPACITY	BARGE TIE--UPS			DRAFT (ft)	PERMIT STATUS
POOL	LDB					AVERAGE	MECHANISM			
18	LDB	432	R & R Marine	Central Soya, Inc.	28	10	Trees	12	None	
18	LDB	428	Lee County Marine, Inc.	Midwestern Grain	12	2-10	Dead men on bank	10	None	
18	LDB	427.2	Lee County Marine, Inc.	Midwestern Grain	18	2-10	Dead men on bank	17	Permit obtained (067040)	
18	RDB	418	R & R Marine	Agra Industries	40	10	Trees	12	None	
19	LDB	407	Unknown	Unknown	Unknown	Unknown	Trees	Unknown	None	
19	RDB	405	P-D Harbor Service Comp.	Private Elevator	50	25-50	Trees (with rail- road ties to protect the trees)	Unknown	None	
19	LDB	404.6	Unknown	Private Elevator	Unknown	Unknown	Woodland concrete pilings	Unknown	None	

21

Encl 1

FLEETING AREAS DESCENDING	POOL	SIDE OF RIVER	RIVER MILE	OPERATOR	OWNER	BARGE TIE--UPS			DRAFT (ft)	PERMIT STATUS
						AVERAGE	MECHANISM			
	22	LDB	310.3	Canton Towing Service	Bunge Corporation	5	Trees		9	None
	22	LDB	308.6	Canton Towing Service	Bunge Corporation	5	Trees		9	None

Sources: Fleeting Operators in the Rock Island District, August 1979, observations by the Coast Guard during a survey of the River in July, 1979; and Tabular information on fleeting from the Corps of Engineers, Rock Island District.

(1) Areas where No Permit has been issued are considered Historical Fleeting Areas.

Enc 1

EXTRACT FROM THE RIVER AND HARBOR ACT
APPROVED 3 MARCH 1899

Sec. 10. That the creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is hereby prohibited; and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same.

Sec. 12. That every person and every corporation that shall violate any of the provisions of sections nine, ten, and eleven of this Act, or any rule or regulation made by the Secretary of War in pursuance of the provisions of the said section eleven, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding twenty-five hundred dollars nor less than five hundred dollars, or by imprisonment (in the case of a natural person) not exceeding one year, or by both such punishments, in the discretion of the court. And further, the removal of any structures or parts of structures erected in violation of the provisions of said sections may be enforced by the injunction of any circuit court exercising jurisdiction in any district in which such structures may exist, and proper proceedings to this end may be instituted under the direction of the Attorney-General of the United States.

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407B(11-77)

MSO MINN/ST. PAUL MN.

16732/003-79

BARGE BREAKAWAY REPORT

Proximate cause of the Breakaway:

THE PROXIMATE CAUSE IS UNKNOWN. THE MOST PROBABLE CAUSE WAS INADEQUATE MOORINGS FOR THE EXISTING STRONG CURRENT AND HIGH RISE STAGE. VESSEL WAS MOORED WITH 2-INCH MOORING LINES (2 PART ON THE BOW AND PART ON THE STERN). CONDITION OF MOORING LINES UNKNOWN, NOT AVAILABLE FOR EXAMINATION

Time of last observation prior to the breakaway: 2/30 1 MAY 1979

Name of person(s) making last observation:

JERRY LAWSON, OPERATOR M/V AUGREY SAUCER

Is a Corps of Engineers permit issued in accordance with 33 CFR 209.120 authorizing moorage at the location from which the barge(s) broke away?

YES/NO/UNKNOWN

Was moorage in compliance with the terms of the permit? YES/NO

If "NO", explain:

Has R.S. 4450 action been initiated? YES/NO

If "YES", against whom and in what capacity?

Submit outcome on R.S. 4450 Action Postcard Report.

1 ISI EKUNPAYO G FAUX MK2 U.S.C.G., Investigator

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407C(11-77)

MSO MINN/ST. PAUL MN.

16732/033-74

BARGE BREAKAWAY REPORT

List of Barges Involved

NAME	OFFICIAL #	TYPE	CARGO	OWNER (w/ADDRESS)
RW-267	505997	FREIGHT BARGE	GRAIN	RIVERWAYS INC 7703 NORMAN DALE MINNEAPOLIS MN. 55435

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407D(11-77)

MSO MINN/ST. PAUL MIN

16732/033-79

BARGE BREAKAWAY REPORT

Sketch of Pre-Breakaway Mooring Configuration

- Include:
- (1) Position of Barges, identified by name
 - (2) Description of Mooring Points
 - (3) Size/Type of Mooring Lines or Cables
 - (4) Direction of River Flow, Wind
 - (5) Show significant dimensions and/or distances

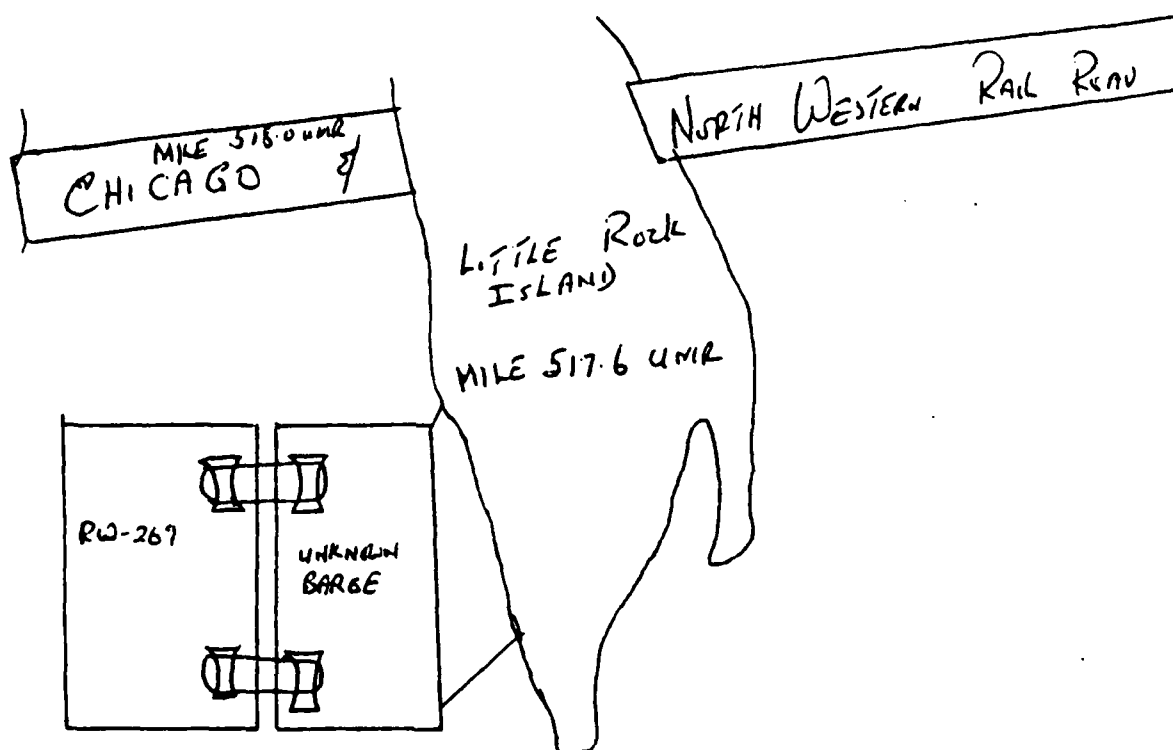
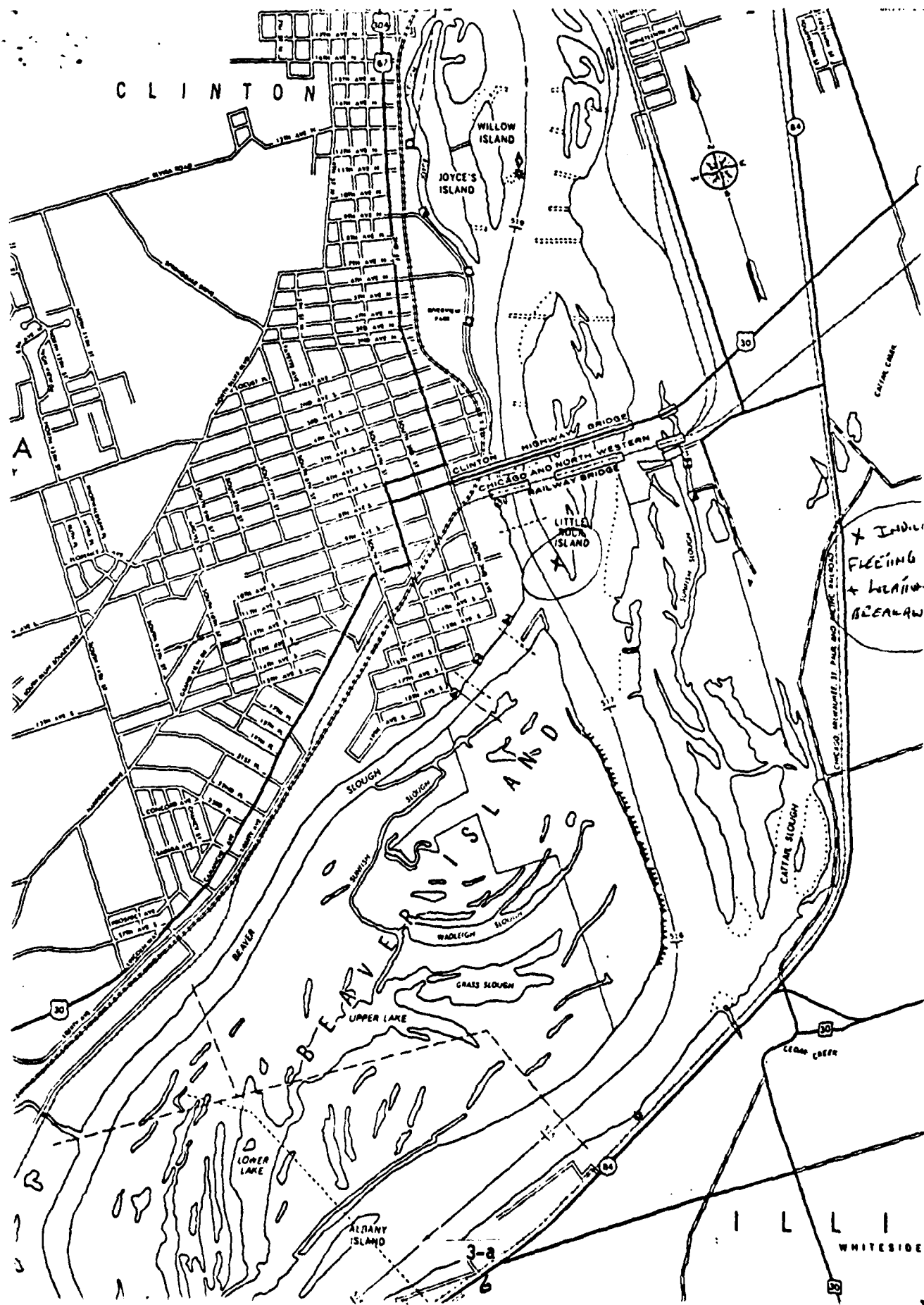
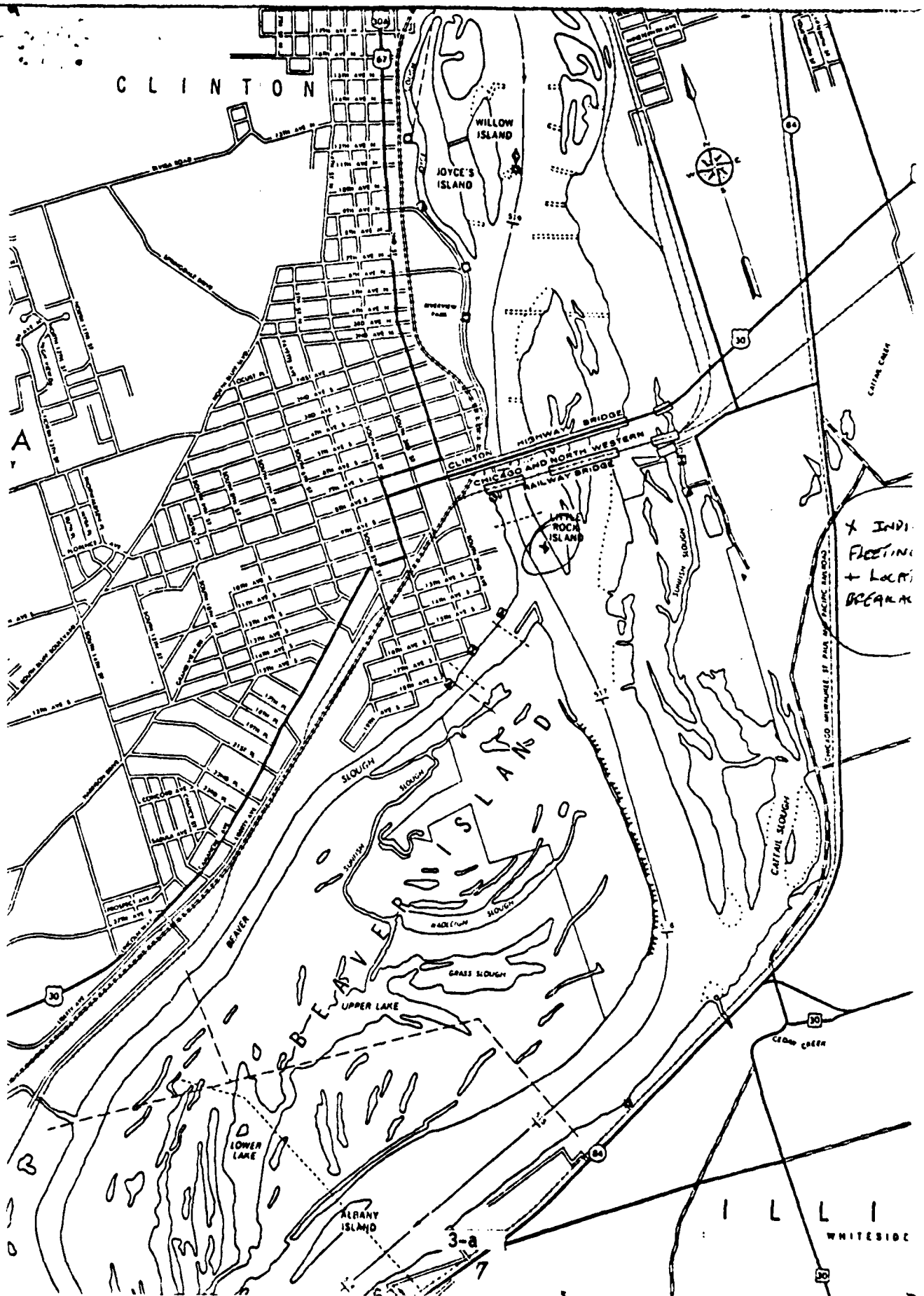


DIAGRAM NOT TO SCALE

Sketch by: MK² Ekindaya G. FAUX

/S/ _____





DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407A(11-77)

MSO San / St. Paul, Or
16731/ 2x90022

BARGE BREAKAWAY REPORT

INSTRUCTIONS: Append this completed report, Parts A through D, to Reports of Violation (Form CG-2636) submitted to document barges' breaking away from their moorings. The narrative of the CG-2636 need merely refer to this report.

Estimated Date/Time of occurrence: 1 June 0215R

Name of Facility, Location: Williams Marine Enterprise, Inc.
6725 South Concord
Davenport, IA 52802

Mile 475.0 (LDB) RDB UMR River

River Stage: (High) Low/ Normal; Rising/ (falling) Steady

Current Velocity: Approx. 10 knots

Estimated Wind Speed: (Calm) 5/10/15/20/25/Higher/Gusting Higher

Recovery Method, Location, and Time: M/V's Grampa Shurty, Tom Reyn Jandilene, Norma Christina, Raven & J.W. Hershey recovered barges between mile 475.0 & 471.5 UMR. All Barges recovered by 1500 on 1 June 1979.

List Facilities/Other Vessels hazarded:

A few privately owned small Boat Docks at approx. mile 472 UMR

Describe all damages occurring as a result of this breakaway:

None

List of Witnesses (note if statement is attached):

Mr. Larry D. Williams, operator of M/V
Grampa Shurty

(Statement Attached)

Encl 3-b

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407B(11-77)

MSO St. Paul, Mo
16731/ 2X 90022

BARGE BREAKAWAY REPORT

Proximate cause of the Breakaway: M/V J.W. Hershey + Tow was on the
waiting arrival of the fleeing vessel right descending side at Mile 475.0
w was North bound & passed very close to the fleet ad barges on the
ft descending side at Mile 475.0 umr. The wake created by M/V Sierra Dawn &
Aided by the strong current & high river stage broke the lines on a
top formation of 5 loaded barges. These barges drifted down colliding with
the more fleeted barges, breaking their lines & creating a chain reaction
which other down stream groups of barges were broken loose.

Time of last observation prior to the breakaway: 0215R 1 June 79

Name of person(s) making last observation:

Mr. Larry D. Williams, operator of M/V Grampa Shorty, was on
Scene at Time of Breakaway

Is a Corps of Engineers permit issued in accordance with 33 CFR 209.120
authorizing moorage at the location from which the barge(s) broke away?

(YES)/NO/UNKNOWN

Was moorage in compliance with the terms of the permit? (YES)/NO
If "NO", explain:

Has R.S. 4450 action been initiated? YES/(NO)

If "YES", against whom and in what capacity?

Submit outcome on R.S. 4450 Action Postcard Report.

151 EKUNDAMO G. FAHL MIL U.S.C.G., Investigator

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407C(11-77)

MSC MINN/ST PAUL MN
16731/ ~~04774~~ 2X90

BARGE BREAKAWAY REPORT

List of Barges Involved

NAME	OFFICIAL #	TYPE	CARGO	OWNER (W/ADDRESS)
SER 173	549460	FRT BARGE	GRAIN LD	FERRUZZI RIVER TOWING COMPANY 136 CARNOULET ST. RM 711 NEW ORLEANS, LA. 70130
GMT 573		FRT BARGE	GRAIN LD	ALTER COMPANY 3333 ROCKINGHAM ROAD P.O. BOX 3703 DAVENPORT IA 52803
AGS 620B	530724	FRT BARGE	GRAIN LD	ALTER COMPANY
ADM 210B	508885	FRT BARGE	GRAIN LD	AMERICAN RIVER TRANSPORTATION 463 NEW BALLAS ROAD S. ST. LOUIS, MO. 63141
CC 7704B		FRT BARGE	GRAIN LD	MIDWEST TOWING COMPANY INC. 1800 NORTHSTAR CENTER MINNEAPOLIS, MINN 55402
AGS 337	510438	FRT BARGE	GRAIN LD	ALTER COMPANY
SER 215	558831	FRT BARGE	GRAIN LD	FERRUZZI RIVER TOW COMPANY
AGS 521	551803	FRT BARGE	GRAIN LD	ALTER COMPANY
XL 630 B	513735	FRT BARGE	GRAIN LD	WISCONSIN BARGE LINE, INC. P.O. BOX 105 CASSVILLE, WISCONSIN 53006
SER 415B	557396	FRT BARGE	GRAIN LD	FERRUZZI RIVER TOW COMPANY
AGS 613B	530719	FRT. BARGE	GRAIN LD	ALTER COMPANY
SER 179B	560851	FRT. BARGE	GRAIN LD	FERRUZZI RIVER TOW COMPANY
ABC 426B	594725	FRT. BARGE	GRAIN LD	AMERICAN COMMERCIAL BARGE LINE CO. 1701 E. MARKET ST. P.O. BOX 610 JEFFERSONVILLE, INDIANA 47130
AGS 513	549653	FRT BARGE	GRAIN LD	ALTER COMPANY
SER 147	544533	FRT BARGE	GRAIN LD	FERRUZZI RIVER TOWING COMPANY
SER 169	549456	FRT BARGE	GRAIN LD	"
SER 421B	557672	FRT BARGE	GRAIN LD	"
SER 126B	544512	FRT BARGE	GRAIN LD	"
SER 187B	560859	FRT BARGE	GRAIN LD	"

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407C(11-77)

MS MINN / ST PAUL MN.

16731/ ~~047-29~~ 2X90.

BARGE BREAKAWAY REPORT

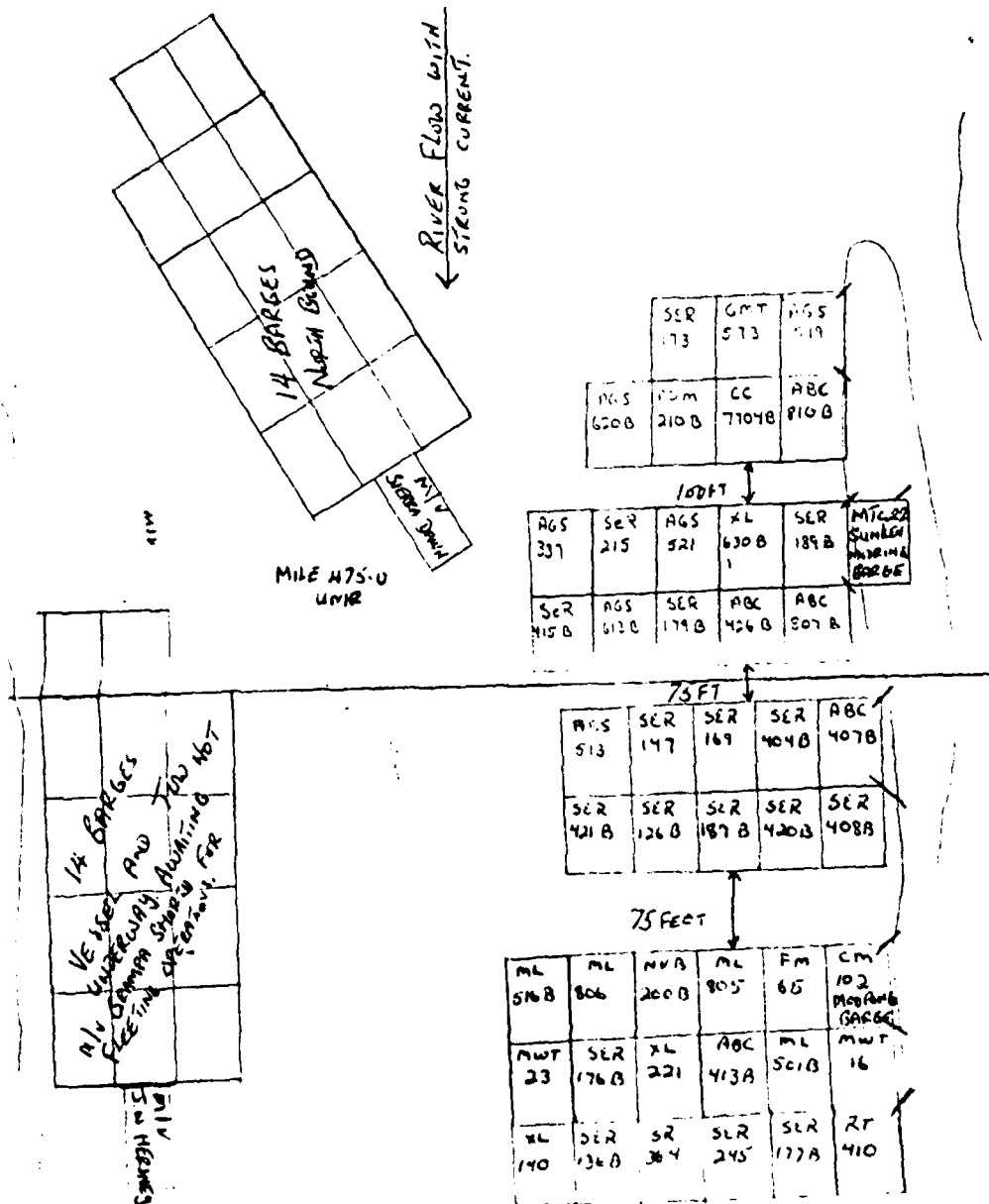
List of Barges Involved

NAME	OFFICIAL #	TYPE	CARGO	OWNER (W/ADDRESS)
ML 516 B	597846	FRT BARGE	GRAIN MT	PILLSBURY COMPANY 6700 OAKLAND AVE, ST. LOUIS MO. 63110
ML 806	597904	FRT BARGE	GRAIN MT	"
NVB 2008	542168	FRT BARGE	GRAIN MT	"
ML 805	597903	FRT BARGE	GRAIN MT	"
MW 23		FRT BARGE	GRAIN MT	MIDWEST TOWING COMPANY INC. 1200 NORTHSTAR CENTER MINNEAPOLIS, MINN 55402
SER 176 B	560848	FRT BARGE	GRAIN MT	FERRUZZI TOWING COMPANY 226 CAROLDALE ST. RM 711 NEW ORLEANS, LA. 70130
XL 221	299502	FRT BARGE	GRAIN MT	WISCONSIN BARGE LINE CO P.O. BOX 105 EASTVILLE WISCONSIN 53506
ABC 413 B	594712	FRT BARGE	GRAIN MT	AMERICAN COMMERCIAL BARGE LINE CO 1701 MARKET ST. PO. BOX 610 JEFFERSONVILLE IND 47130
XL 140	528556	FRT BARGE	GRAIN MT	WISCONSIN BARGE LINE CO.
SER 136 B	644522	FRT BARGE	GRAIN MT	FERRUZZI TOWING COMPANY
SR 364	291723	FRT BARGE	GRAIN MT	UNIFY LINE COMPANY INC 136 S CENTRAL AVE ST. LOUIS MO 63105
SER 245	560892	FRT BARGE	GRAIN MT	FERRUZZI TOWING COMPANY

MSO MINN / ST. PAUL MN.
16731/ ~~647-74~~ 2X90022

Sketch of Pre-Breakaway Mooring Configuration

- Sketch of Pre-Breakaway Mooring Configuration
Include: (1) Position of Barges, identified by name
(2) Description of Mooring Points
(3) Size/Type of Mooring Lines or Cables
(4) Direction of River Flow, Wind
(5) Show significant dimensions and/or distances



DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407A(11-77)

MSO WINNEAPOLIS/ST PAUL
16731/2x90031

BARGE BREAKAWAY REPORT

INSTRUCTIONS: Append this completed report, Parts A through D, to Reports of Violation (Form CG-2636) submitted to document barges' breaking away from their moorings. The narrative of the CG-2636 need merely refer to this report.

Estimated Date/Time of occurrence: 7 JUNE 1979 2230

Name of Facility, Location: WILLIAMS MARINE ENTERPRISE, INC
6725 SOUTH CONCORD
DAVENPORT, IOWA 52802

Mile 475.0 EDB/RDB UMR River

River Stage: High/Low/ Normal; Rising/Falling/Steady

Current Velocity: APPROX 12 KTS

Estimated Wind Speed: Calm/5/10/15/20/25/Higher/Gusting Higher

Recovery Method, Location, and Time:

WILLIAMS MARINE VESSELS RECOVERED ALL BARGES BY THE EVENING OF 8 JUNE 1979

List Facilities/Other Vessels hazarded:

SEVERAL SMALL BOATS AND DOCK AT APPROXIMATELY MILE 472 UMR

Describe all damages occurring as a result of this breakaway:

NONE

List of Witnesses (note if statement is attached):

MR. DON WILLIAMS, OPERATOR OF WILLIAMS MARINE FLEETING VESSEL ON SCENE AT TIME OF BREAKAWAY.

Encl 3-c

1

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CGD2 2407B(11-77)

MSO Minneapolis/St Paul MN
16731/2490031

BARGE BREAKAWAY REPORT

Proximate cause of the Breakaway:

THE PROXIMATE OF THE BREAKAWAY WAS INADEQUATE MOORINGS. CONTRIBUTING CAUSES WERE THE STRONG RIVER CURRENT RESULTING FROM THE HIGH RIVER STAGE AND THE LINE SURGE CAUSED BY THE WAKE OF M/V BADGER AND TOW PASSING CLOSE ABOARD THE FLEETING BARGE.

Time of last observation prior to the breakaway: MR DON WILLIAMS WAS
WORKING THE FLEET AT THE TIME OF BREAKAWAY

Name of person(s) making last observation: MR DON WILLIAMS

Is a Corps of Engineers permit issued in accordance with 33 CFR 209.120 authorizing moorage at the location from which the barge(s) broke away?

YES/NO/UNKNOWN

Is moorage in compliance with the terms of the permit? YES/NO
If "NO", explain:

Has R.S. 4450 action been initiated? YES/NO
If "YES", against whom and in what capacity?
Submit outcome on R.S. 4450 Action Postcard Report.

/S/

[Signature]

, Investigator

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407C(11-77)

MSO 11/10/77 12:51/STP:11
16732/2X90031

BARGE BREAKAWAY REPORT

List of Barges Involved

NAME	OFFICIAL #	TYPE	CARGO	OWNER (w/ADDRESS)
AGS 904	551796		CORN	ALTER COMPANY PO BOX 3708 DAVENPORT IA 52808
AGS 364	505153		CORN	
AGS 515	549655		BEANS	
AGS 665B	549663		CORN	
AGS 630B	540600		CORN	
AGS 510	540617		CORN	
AGS 662B	545048		CORN	
AGS 523	551805		MT	
XL 140	528556		CORN	WISCONSIN BARGE LINE PO BOX 105 CASSVILLE WIS. 53806
XL 630B	513735		CORN & PEAS	
XL 221	299502		CORN	
Em 65	544221		CORN	FER RIVER TOWING COMPANY, INC 226 CARondelet ST ROOM 711 MTW CRLFMS, LI 70130
SER 231	560378		CORN	
SER 176B	560345		CORN	
SER 215	558231		CORN	
SER 169	549456		CORN	
SER 177B	560349		CORN	
SER 415B	557396		CORN	
SER 405B	557356		CORN	
SER 420B	557671		CORN	
ME 200B	542168		SOY BEANS	
ME 210B	508885		CORN	PILLSBURY COMPANY 608 2ND AVE. MINNEAPOLIS, MN 55402 AMERICAN RIVER TRANSPORT CO. 762 NEW BALLAS ROAD ST. LOUIS, MO 63111 ST. PAUL BARGE LINE INC 1025 MARIS ST METairie LA 70005
ME 42B	562812		CORN	
ME 30B	551954		CORN	
ME 501B	597831		CORN	
ME 516B	597846		MT	
ME 806	597904		MT	ARIF COMMERCIAL LINES, INC PO BOX 610 JEFFERSONVILLE IND 47130
ACBL 2671	509935		MT	
ACBL 786	298721		MT	
ACBL 926	242207		MT	TWIN CITY BARGE TOWING CO INC PO BOX 3072 ST PAUL MINN 55165
DP 210	UNDOCUMENTED		MT	

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407D(11-77)

MSO 16731/2x90031
16731/2x90031

BARGE BREAKAWAY REPORT

Sketch of Pre-Breakaway Mooring Configuration

- Include: (1) Position of Barges, identified by name
(2) Description of Mooring Points
(3) Size/Type of Mooring Lines or Cables
(4) Direction of River Flow, Wind
(5) Show significant dimensions and/or distances

*and statement
see attached sketch by Mr. Don Williams.*

Sketch by: _____
/S/ _____

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407A(11-77)

MSO MINNEAPOLIS / ST. PAUL, MN

16731/ 2X80063

BARGE BREAKAWAY REPORT

INSTRUCTIONS: Append this completed report, Parts A through D, to Reports of Violation (Form CG-2636) submitted to document barges' breaking away from their moorings. The narrative of the CG-2636 need merely refer to this report.

Estimated Date/Time of occurrence: 25 July 1978 / 1600 CDT

Name of Facility, Location: Williams Marine Enterprise, Inc.
6725 Concord St.
DAVENPORT, IA. 52802

Mile 474.7 (LDB)/RDB UPPER MISSISSIPPI River

River Stage: High/Low/ Normal Rising/Falling/ Steady

Current Velocity: 3-4 MPH

Estimated Wind Speed: Calm/5 10/15/20/25/Higher/Gusting Higher

Recovery Method, Location, and Time:

BREAKAWAY BARGES RECOVERED BY THE M/V WISCONSIN AND M/V NORMA CHRISTINA
BETWEEN MILE 473.5 AND MILE 474.0 AT ABOUT 1630 ON 25 July 1978

List Facilities/Other Vessels hazarded:

NONE

Describe all damages occurring as a result of this breakaway:

NONE

List of Witnesses (note if statement is attached):

Jay Williams - OPERATOR OF M/V NORMA CHRISTINA }
SHAWN OLSEN - DECK HAND ON M/V NORMA CHRISTINA } C/O Williams Marine

Encl 3-d

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGD2 2407B(11-77)

MSO MINNEAPOLIS / ST. PAUL, MN

16731/

BARGE BREAKAWAY REPORT

Proximate cause of the Breakaway:

Witnesses stated that the breakaway occurred as the M/V MYRA ECKSTEIN (7000 hp.) with 15 LOADED BARGES INTOW PASSED by the FLEETED BARGES HEADEN DOWN RIVER PUSHING HARD. FOUR LOADED BARGES BROKE AWAY FIRST AND STRUCK TWO EMPTY BARGES BREAKING THEM LOOSE. APPROXIMATELY 15 13/4" NYLON LINE PARTED IN THE BREAKAWAY.

Time of last observation prior to the breakaway: 30 MINUTES

Name of person(s) making last observation:

JAY WILLIAMS AND SHAWN OLSEN

Is a Corps of Engineers permit issued in accordance with 33 CFR 209.120 authorizing moorage at the location from which the barge(s) broke away?

YES ☒ NO ☐ UNKNOWN

Was moorage in compliance with the terms of the permit? YES/NO

If "NO", explain:

N/A

Has R.S. 4450 action been initiated? YES ☒ NO ☐

If "YES", against whom and in what capacity?

Submit outcome on R.S. 4450 Action Postcard Report.

/S/



, Investigator

DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard
CCGL2 2407C(11-77)

MSO MINNEAPOLIS / ST. PAUL
16731/

BARGE BREAKAWAY REPORT

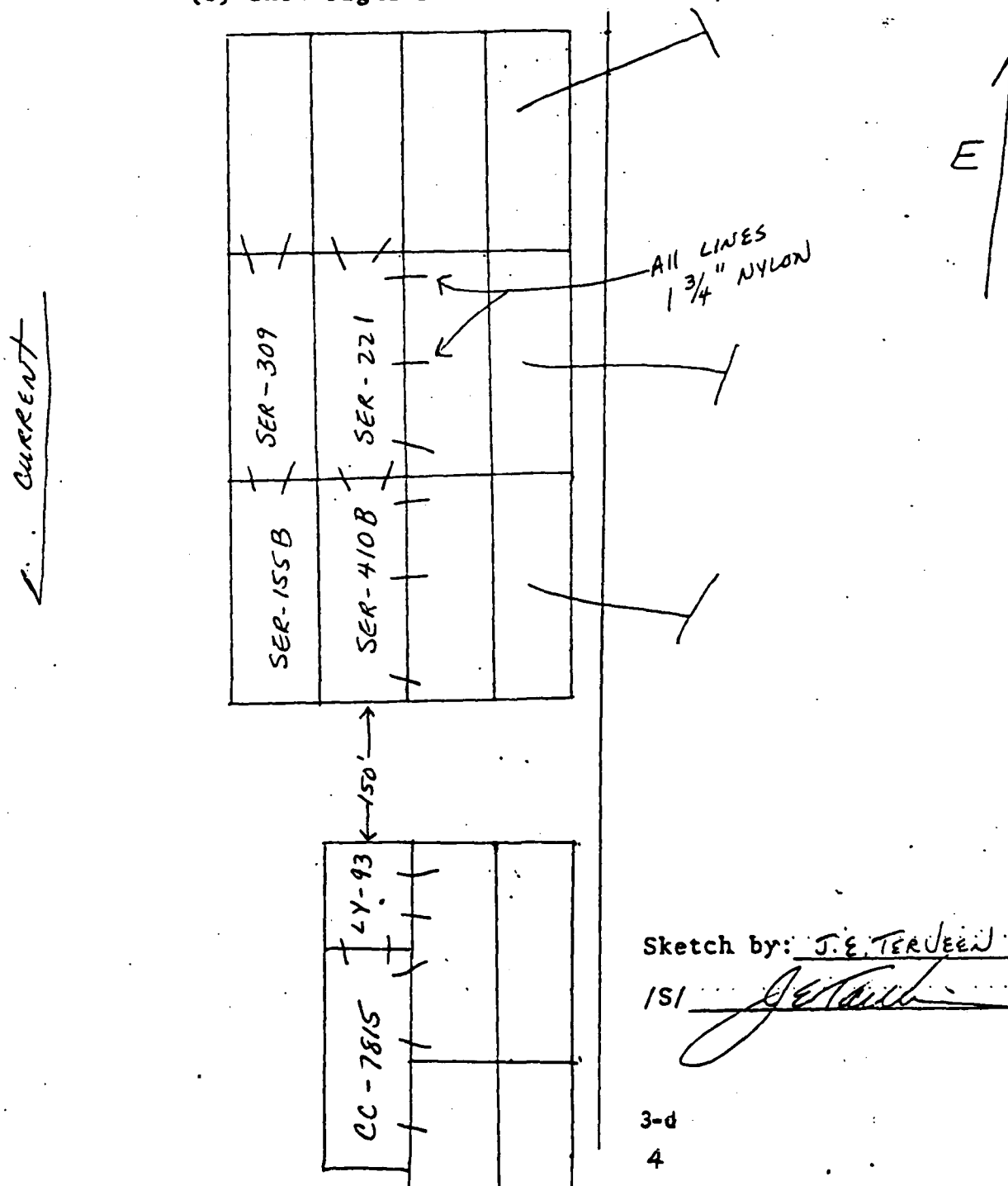
List of Barges Involved

NAME	OFFICIAL #	TYPE	CARGO	OWNER (W/ADDRESS)
2 SER ^{155B} 155A	549442	HOPPER	GRAIN	FER RIVER TOWING CO. 226 CARondelet RM. 711 NEW ORLEANS, LA. 70130
SER-221	560868	HOPPER	GRAIN	SAME
SER-309	557660	HOPPER	GRAIN	SAME
SER-410B	557391	HOPPER	GRAIN	SAME
LY-93	532793	HOPPER	Empty	LYKES BROTHERS STEAMSHIP CO. 300 POYDRAS ST. NEW ORLEANS, LA. 70130
CC-7815	NONE	HOPPER	Empty	CARGO CARRIERS, INC. 1200 NORTHSTAR CENTER MINNEAPOLIS, MN. 55402

BARGE BREAKAWAY REPORT

Sketch of Pre-Breakaway Mooring Configuration

- Include:
- (1) Position of Barges, identified by name
 - (2) Description of Mooring Points
 - (3) Size/Type of Mooring Lines or Cables
 - (4) Direction of River Flow, Wind
 - (5) Show significant dimensions and/or distances



Sketch by: J. E. TERVEEN

/ S /

3-d

4

DEPARTMENT OF TRANSPORTATION
U.S. Coast Guard
CGD2-2407A(11-77)

NOV MINNEAPOLIS/ST. PAUL

16731/ 2X80040

maps - 1

BARGE BREAKAWAY REPORT

INSTRUCTIONS: Append this completed report, Parts A through D, to Reports of Violation (Form CG-2636) submitted to document barges' breaking away from their moorings. The narrative of the CG-2636 need merely refer to this report.

Estimated Date/Time of occurrence: 19 JUNE 1978 / 1835 (CDT)

Name of Facility, Location: LEWIS & LAWSON HARBOR SERVICE
17th AVE. SOUTH & RIVER
CLINTON, IA. 52732

Le 516.2 LDB RDB UPPER MISSISSIPPI River

Water Stage: High/Low/ Normal; Rising/Falling/ Steady

Current Velocity: 3-5 MPH

Estimated Wind Speed: Calm/ 5/10 /15/20/25/Higher/Gusting Higher

Recovery Method, Location, and Time:

BREAKAWAY BARGE RECOVERED AT MILE 515.5 UMR BY THE M/V LITTLE HARRY AT
05 ON 19 JUNE 1978

Host Facilities/Other Vessels hazarded:

NONE

Describe all damages occurring as a result of this breakaway:

NONE

List of Witnesses (note if statement is attached):

NONE

Encl 3-e

DEPARTMENT OF TRANSPORTATION
U.S. Coast Guard
GD2 2407B(11-77)

MSO MINNEAPOLIS/ST. PAUL, MINN.

16731/

BARGE BREAKAWAY REPORT

Probable cause of the Breakaway:

ACTUAL CAUSE IS UNKNOWN. MOST PROBABLE CAUSE IS THE ACT OF AN UNKNOWN THIRD PARTY. WHEN THE BARGE WAS RECOVERED, THE MOORING LINES, WHICH HAD BEEN SECURELY FASTENED, WERE LYING ON THE DECK OF THE BARGE. A GROUP OF PEOPLE WERE OBSERVED ON THE BANK JUST BELOW THE SPOT THAT THE BARGE WAS FLEETED AND HAD MADE IRRATE GESTURES TO THE OPERATOR OF THE VESSEL THAT FLEETED BARGE.

Time of last observation prior to the breakaway: APPROX 1800 ON 19 JUNE 1978

Name of person(s) making last observation:

MR. DANNY TRAVIS OF LEWIS & LAWSON HARBOR SERVICE.

Is a Corps of Engineers permit issued in accordance with 33 CFR 209.120 authorizing moorage at the location from which the barge(s) broke away?

YES/NO/UNKNOWN

Is moorage in compliance with the terms of the permit? YES/NO

If "NO", explain: N/A

Is R.S. 4450 action been initiated? ~~YES~~/NO

If "YES", against whom and in what capacity?

Submit outcome on R.S. 4450 Action Postcard Report.

151

3-e

2. Investigator

DEPARTMENT OF TRANSPORTATION
U.S. Coast Guard
GDZ 2407C(11-77)

MSO MINNEAPOLIS/ST. PAUL, MN.

16731/

BARGE BREAKAWAY REPORT

List of Barges Involved

NAME	OFFICIAL #	TYPE	CARGO	OWNER (w/ADDRESS)
BL-2802	539928	HOPPER	Empty	AMERICAN COMMERCIAL BARGE LINE 1701 E. MARKET ST. P.O. BOX 610 JEFFERSONVILLE, IN. 47130

DEPARTMENT OF TRANSPORTATION
U.S. Coast Guard
CGD2 2407D(11-77)

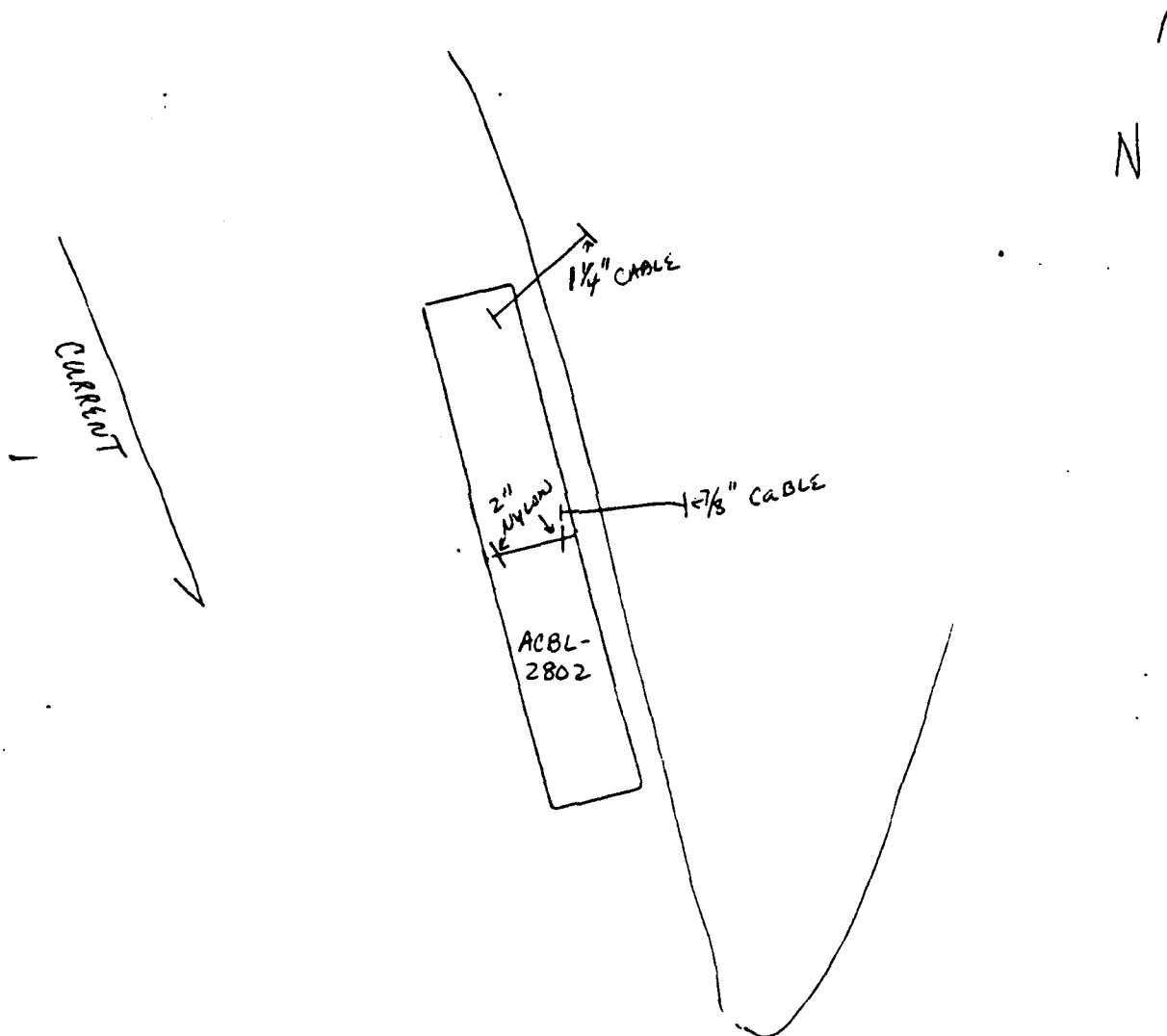
MSO MINNEAPOLIS / ST. PAUL, MN.

16731/

BARGE BREAKAWAY REPORT

Sketch of Pre-Breakaway Mooring Configuration

- Include: (1) Position of Barges, identified by name
(2) Description of Mooring Points
(3) Size/Type of Mooring Lines or Cables
(4) Direction of River Flow, Wind
(5) Show significant dimensions and/or distances



Sketch by: J.E. TERUGEN

[Signature]

(8) "Associated equipment" means—

(A) any system, part, or component of a boat as originally manufactured or any similar part or component manufactured or sold for replacement, repair, or improvement of such system, part, or component;

(B) any accessory or equipment for, or appurtenance to, a boat; and

(C) any marine safety article, accessory, or equipment intended for use by a person on board a boat; but

(D) excluding radio equipment.

(9) "Secretary" means the Secretary of the Department in which the Coast Guard is operating.

(10) "State" means a State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

(11) "Eligible State" means one that has a State boating safety program which has been accepted by the Secretary.

Pub.L. 92-75, § 3, Aug. 10, 1971, 85 Stat. 214.

Historical Note

Legislative History. For legislative history, 1971 U.S. Code Cong. and Adm. News, p. 1333, and purpose of Pub.L. 92-75, see 1333.

§ 1453. Applicability of chapter

(a) This chapter applies to vessels and associated equipment used, to be used, or carried in vessels used, on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for vessels owned in the United States.

(b) Sections 1454 through 1460 of this title and subsections (a) and (b) of section 1461 of this title are applicable also to boats moving or intended to be moved in interstate commerce.

(c) This chapter, except those sections where the content expressly indicates otherwise, does not apply to—

(1) foreign vessels temporarily using waters subject to United States jurisdiction;

(2) military or public vessels of the United States, except recreational-type public vessels;

(3) a vessel whose owner is a State or subdivision thereof, which is used principally for governmental purposes, and which is clearly identifiable as such;

(4) ships' lifeboats.

Pub.L. 92-75, § 4, Aug. 10, 1971, 85 Stat. 215.

ment conforms to all applicable Federal boat safety standards, unless such person knows or reasonably should have known that such boat or associated equipment does not so conform.

Use of vessel in violation of regulations

(c) No person may use a vessel in violation of this chapter or regulations issued thereunder.

Negligent use of vessel

(d) No person may use a vessel, including one otherwise exempted by section 1453(c) of this title, in a negligent manner so as to endanger the life, limb, or property of any person. Violations of this subsection involving use which is grossly negligent, subject the violator, in addition to any other penalties prescribed in this chapter, to the criminal penalties prescribed in section 1483 of this title.

**Use of vessel carrying passengers for hire, except
in charge of licensed operator**

(e) No vessel equipped with propulsion machinery of any type and not subject to the manning requirements of the vessel inspection laws administered by the Coast Guard, may while carrying passengers for hire, be used except in the charge of a person licensed for such service under regulations, prescribed by the Secretary, which pertain to qualifications, issuance, revocation, or suspension, and related matters.

Applicability of licensed operator requirement

(f) Subsection (e) of this section shall not apply to any vessel being used for bona fide dealer demonstrations furnished without fee to business invitees. However, if on the basis of substantial evidence the Secretary determines, pursuant to section 1455 of this title, that requiring vessels so used to be under the control of licensed persons is necessary to meet the need for boating safety, then the Secretary may promulgate regulations requiring the licensing of persons controlling such vessels in the same manner as provided in subsection (e) of this section for persons in control of vessels carrying passengers for hire.

Pub.L. 92-75, § 12, Aug. 10, 1971, 85 Stat. 217.

Historical Note

Legislative History. For legislative history and purpose of Pub.L. 92-75, see 1333.

Code of Federal Regulations

Equipment, etc., requirements. see 33 CFR 143.1 et seq.

Licensing requirements for officers, etc., see 46 CFR 10.01-1 et seq., 187.01-1 et seq.

tions constituting such violation would not cause or constitute a substantial risk of personal injury to the public, and (2) that at the time of said order or authorization he advised the Secretary in writing of his action under this proviso.

**Violation of any other provision of this chapter
or regulations issued thereunder**

(b) In addition to any other penalty prescribed by law any person who violates any other provision of this chapter or the regulations issued thereunder shall be liable to a civil penalty of not more than \$500 for each violation. If the violation involves the use of a vessel, the vessel, except as exempted by section 1453(c) of this title, shall be liable and may be proceeded against in the district court of any district in which the vessel may be found.

Discretionary powers of Secretary

(c) The Secretary may assess and collect any civil penalty incurred under this chapter and, in his discretion, remit, mitigate, or compromise any penalty prior to referral to the Attorney General. Subject to approval by the Attorney General, the Secretary may engage in any proceeding in court for that purpose, including a proceeding under subsection (d) of this section. In determining the amount of any penalty to be assessed hereunder, or the amount agreed upon in any compromise, consideration shall be given to the appropriateness of such penalty in light of the size of the business of the person charged, the gravity of the violation and the extent to which the person charged has complied with the provisions of section 1464 of this title or has otherwise attempted to remedy the consequences of the said violation.

Collection referral

(d) When a civil penalty of not more than \$200 has been assessed under this chapter, the Secretary may refer the matter for collection of the penalty directly to the Federal magistrate of the jurisdiction wherein the person liable may be found for collection procedures under supervision of the district court and pursuant to order issued by the court delegating such authority under section 636(b) of Title 28.

Pub.L. 92-75, § 35, Aug. 10, 1971, 85 Stat. 226.

Historical Note

Savings Provisions. Any criminal or civil penalty proceeding under the Motorboat Act of 1940, as amended, section 320 et seq. of this title, or the Federal Boating Act of 1958, as amended, former section 327 et seq. of this title, for a violation which occurred before Aug. 10, 1971, to be initiated and continue to conclusion as though ~~the~~ former Acts had not been

amended or repealed by Pub.L. 92-75, Aug. 10, 1971, 85 Stat. 213, see section 411(f) of Pub.L. 92-75, set out as a note under section 1481 of this title.

Legislative History. For legislative history and purpose of Pub.L. 92-75, see 1971 U.S. Code Cong. and Admin. News, p. 1333.



DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61201

REPLY TO
ATTENTION OF:

NCROD-S-070-0X6-1-06956

15 May 1978

SECTION 10 and 404

PUBLIC NOTICE

1. The Williams Marine Enterprise, Incorporated, 6725 S. Concord Street, Davenport, Iowa 52802, has applied for a Department of the Army permit to construct 14 sheet-pile mooring cells in the Mississippi River, approximate river mile 474.3 on the left bank of the river opposite from the Martin Marietta Concrete Plant.
2. The mooring cells will be driven to rock bottom and cut to a standard elevation of 560.0', approximately 15' above the OHW elevation. The cells will be built on 200' centers, with the third and fourth cells 190' apart and the sixth and seventh, and the ninth and tenth cells 100' apart. The first and fourth cells will be 24' in diameter. All of the remaining cells will be 20' in diameter. Each cell will be filled with sand and capped with 12" of concrete. The cells will be equipped with 6" x 10' pipe timberheads and three 3" bolts for line fastening. The cells will be utilized for fleeting commercial tows originating in the general area.
3. This application is being processed under the provisions of Section 10 of the River and Harbor Act of 1899 (30 Stat. §1151; 33 U.S.C. §403) and Section 404 of the Federal Water Pollution Control Act (86 Stat. §816; 33 U.S.C. §1344).
4. The District staff has reviewed the information provided by the applicant, as well as the stated views of the agencies involved, has made a preliminary assessment and has determined that no significant adverse environmental effects have been identified during the review. This District does not plan to file an Environmental Impact Statement describing the activities unless warranted by later developments.
5. As a result of this review, the staff has determined that the proposed activity will have no adverse effect on any species or the critical habitat of any fish, wildlife or plant, which is designated as endangered or threatened pursuant to the Endangered Species Act of 1973. Therefore, no formal consultation request has been made to the U.S. Department of the Interior, Fish and Wildlife Service.

Encl 5

6. The staff has also consulted the latest published version of the National Register of Historic Places and found no registered properties, nor properties eligible for inclusion therein, that would be affected by the applicant's proposed activity. However, presently unknown archaeological, scientific, prehistoric or historical data may be lost or destroyed by the proposed work.

7. Any interested parties, particularly navigation interests, Federal and State agencies for the protection of fish and wildlife, and the officials of any State, town or local association whose interests may be affected by the proposed work, are invited to submit to this office within 30 days of the date of this notice, written statements of facts, arguments, or objections thereto. These statements should bear upon the adequacy of plans and suitability of location and should, if appropriate, suggest any changes considered desirable.

8. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

9. The evaluation of the impact of the proposed activity on the public interest will also include application of the guidelines promulgated by the Administrator of the United States Environmental Protection Agency under authority of Section 404 (b) of the Federal Water Pollution Control Act Amendments of 1972 (40 C.F.R. 230).

10. Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

11. The Applicant's plans have been reproduced on the attached sheet.

13. All replies to this Public Notice should be addressed to the District Engineer, Rock Island District Corps of Engineers, Clock Tower Building, Rock Island, Illinois 612101. Attention: Regulatory Functions Branch.

FOR THE DISTRICT ENGINEER:

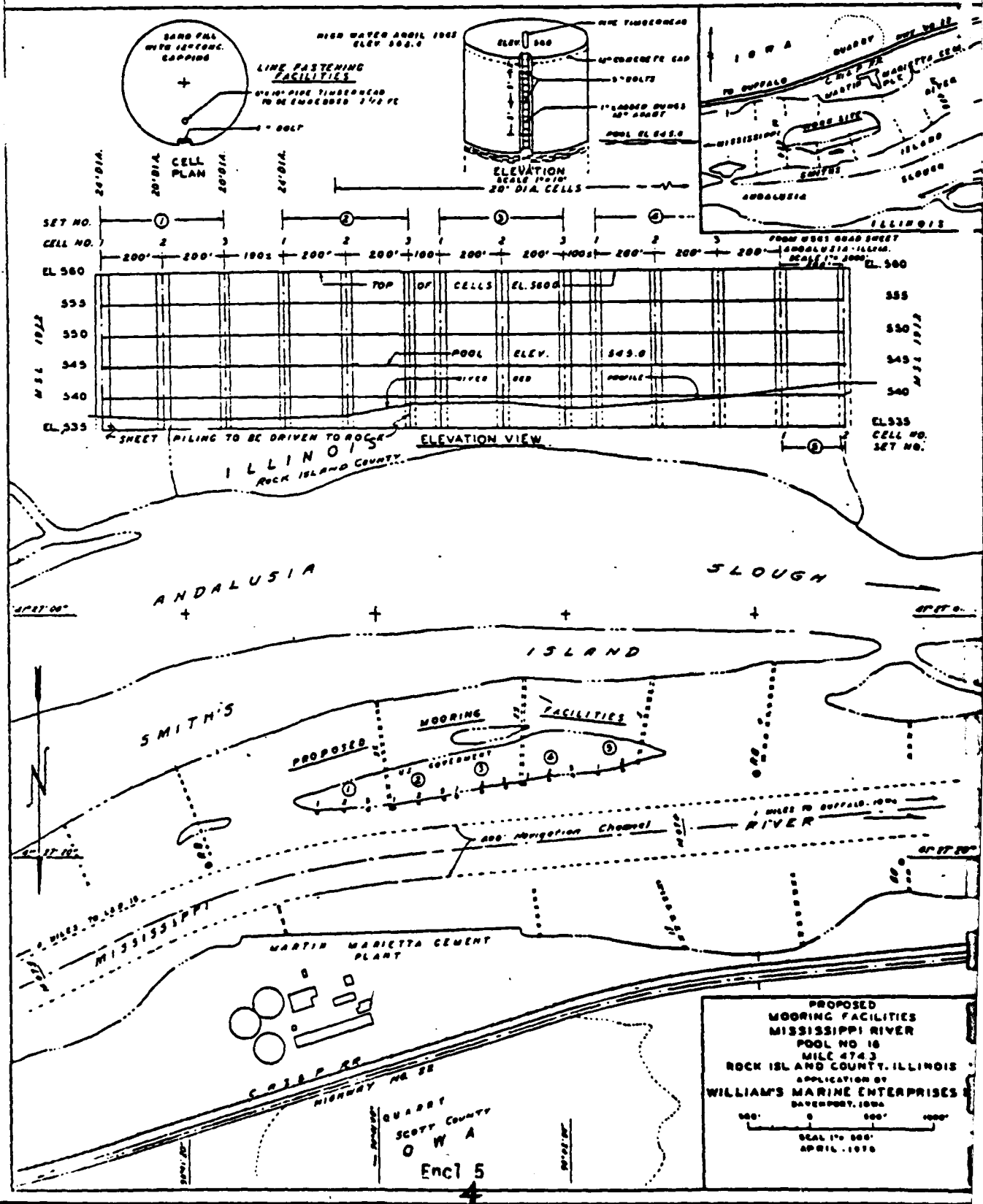


Attach
Plans

HENRY G. PFIESTER, P.E.
Chief, Operations Division

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continuously posted for 30 days from the date of issuance of this notice.



DEPARTMENT OF THE ARMY

NOTE.—It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. ~~IT MERELY EXPRESSES THE ASSENT OF THE FEDERAL GOVERNMENT SO FAR AS CONCERNING THE PUBLIC RIGHTS OF NAVIGATION.~~ (See *Cummings v. Chicago*, 188 U. S., 410.)

16-12168-2

PERMIT

Rock Island District
U.S. Army, Corps of Engineers.
Rock Island, Illinois
7 September 1967
015420

Lewis & Lawson Contractors
134 - 13th Avenue South
Clinton, Iowa 52732

Gentlemen:

Referring to written request dated 28 April 1967

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army.

to construct and maintain pile clusters (eight), which will be used for mooring barges in a fleeting area.
(Here describe the proposed structure or work.)

in and along the Iowa shore of Little Rock Island No. 290, in the Mississippi River.
(Here to be named the river, harbor, or waterway concerned.)

at near Clinton, Iowa, approximately 517.7 miles above the mouth of the Ohio River.
(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans shown on the drawing attached hereto marked "Proposed Fleeting Improvement in Mississippi River at Clinton, Iowa, Mile 517.7, dated April 28, 1967"
(Or drawings: give file number or other definite identification marks.)

subject to the following conditions:

(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefor must be previously obtained from the Supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

(i) That the permittee shall notify the said district engineer at what time the work will be commenced, and as far in advance of the time of commencement as the said district engineer may specify, and shall also notify him promptly, in writing, of the commencement of work, suspension of work, if for a period of more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before the 31st day of December, 1970, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

By authority of the Secretary of the Army:



WALTER C. GELINI
Colonel, Corps of Engineers
District Engineer

NCROD-S-015420

7 September 1967

Lewis & Lawson Contractors
134 - 13th Avenue South
Clinton, Iowa 52732

Gentlemen:

In accordance with your request, dated 28 April 1967, there is inclosed a Federal Permit authorizing you to construct and maintain pile clusters, which will be used for mooring barges in a fleeting area, in and along the Iowa shore of Little Rock Island No. 290, in the Mississippi River near Clinton, Iowa, approximately 517.7 miles above the mouth of the Ohio River. A duplicate copy of the permit is inclosed for transmission to the U. S. Coast Guard as required by the inclosed instruction sheet.

If any material changes in the location or plan of the structure are found necessary or advisable on account of unforeseen or altered conditions, or otherwise, revised plans should be submitted to the District Engineer in order that these plans, if found unobjectionable, may receive the approval required by law, before construction thereon is begun.

A representative of this office will make periodic inspections of the work. Should any questions arise concerning operations under the permit, or should any information in connection therewith be desired, the matter should be referred to this office.

Sincerely yours,

2 Incls:

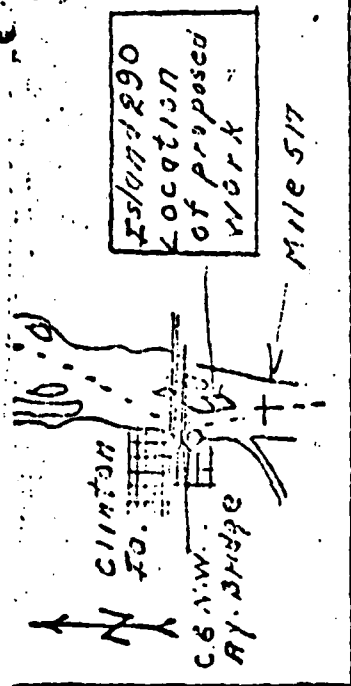
1. Fed. Permit (in dupl)
2. U.S.C.G. Instr. Sheet

ROBERT E. CLEVENSTINE
Chief, Operations Division

cc: District File
Channel & Levee
Permits & Stat. Br.

Encl 6-a

3



Vicinity Map



concrete
decomposition
with steel
cable. All clusters typical

timber
spurs

2000' or -

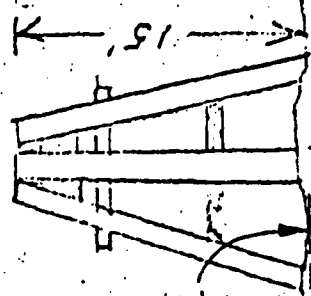
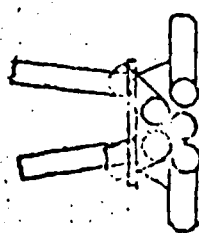
Flow

M. 517.7

105'

200'

C.S.W. RR. Bridge
Just ← Mile 517.95



10' water
to normal
pool

FLAT POOL NO. 14
EL. 572.0

Proposed Fleetling
Improvement
In Mississippi River
At Clinton, Iowa.
MILE 517.7

Application

Lewis & Lawson Contractors
134-136 Avenue North, Clinton, Iowa
April 28, 1967

NCROD-S-070-0X6-1-06960

8 JUN 1979

Mr. Robert D. Hudson, Manager
Cassville River Terminal
Wisconsin Barge Line, Inc.
RR 1, Box 39
Cassville, Wisconsin 53806

Dear Mr. Hudson:

Inclosed is a Department of the Army permit authorizing work in conjunction with the construction of a barge floating area in Dubuque, Iowa at Mississippi River mile 579.6.

Also inclosed is a "Notice of Authorization" which must be posted at the construction site.

If any material change in the plans or the work authorized herein are found to be necessary, revised plans must be submitted to this office for the District Engineer's approval before work thereon is begun. A representative of this office will make periodic inspections of the work.

The cooperation you have shown during the processing of your permit is deeply appreciated.

Should you have any questions pertaining to your permit, or if we can be of assistance in any of your future projects, please contact our Regulatory Functions Branch by letter, or telephone Mr. Cecil Deitrich, 309/788-6361, extension 213.

Sincerely yours,

- 2 Incl
1. Permit No. 06960
2. Notice of Authorization

HENRY G. PFIESTER, P.E.
Chief, Operations Division

cc: District File, OD
OD-S

Encl 6-b-

1

Application No. NCROD-070-0X6-1-06960

Name of Applicant Wisconsin Barge Line, Inc.

Effective Date 8 June 1978

Expiration Date (If applicable) 31 December 1981

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 29 March 1978 for a permit to:

(XX) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Mr. Robert D. Hudson, Manager

Wisconsin Barge Line, Inc.

RR 1, Box 39

Cassville, Wisconsin 53806

◀ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to construct a barge fleeting area. One fleeting barge to be anchored to the riverbed with two 5-ton Danforth Sea Anchors and one spud. This barge to serve as an anchor point for fleeting up to 15 barges. Fleet will be limited to four barge widths and four barge lengths (normal jumbo barge of 195' x 35').

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in the Mississippi River, mile 579.6

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

at Section 30, Township 89 North, Range 3
East in Dubuque, Dubuque County, Iowa.

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks):

Location Map, No. 06960, entitled, "Schedule C": and
Fleet barge plans and cross section, No. 06960, entitled, "Enclosure A, Revision 1".

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

ENG FORM 1721 1 APR 74 EDITION OF JUNE 1968 IS OBSOLETE.

(ER 1145-2-303)

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not started on or before 1st day of June, 1979 (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 31st day of December, 19 81 (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

11. **Special Conditions** (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

PERMITTEE

DATE _____

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

DANIEL L. LYCAN, Colonel

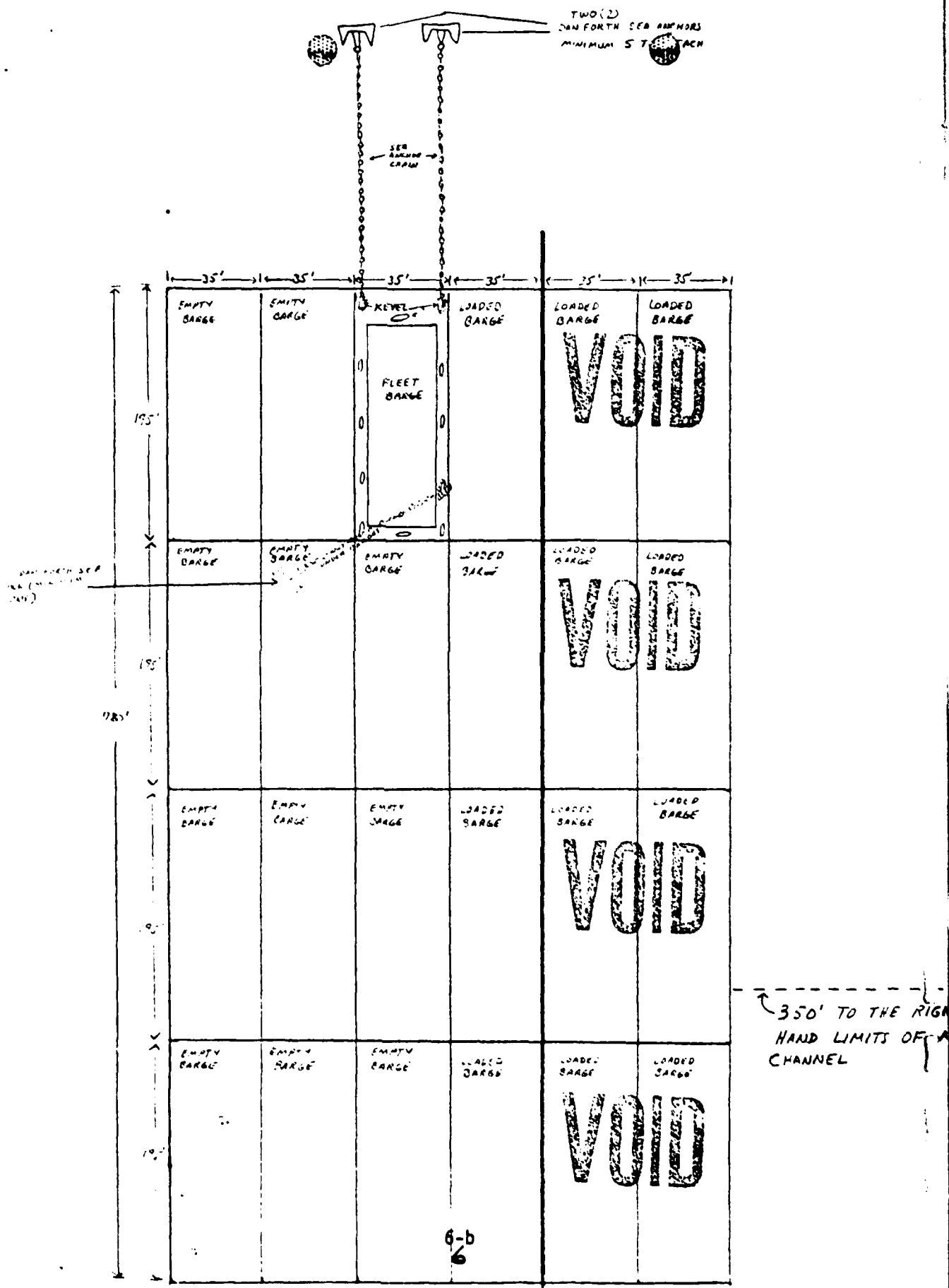
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

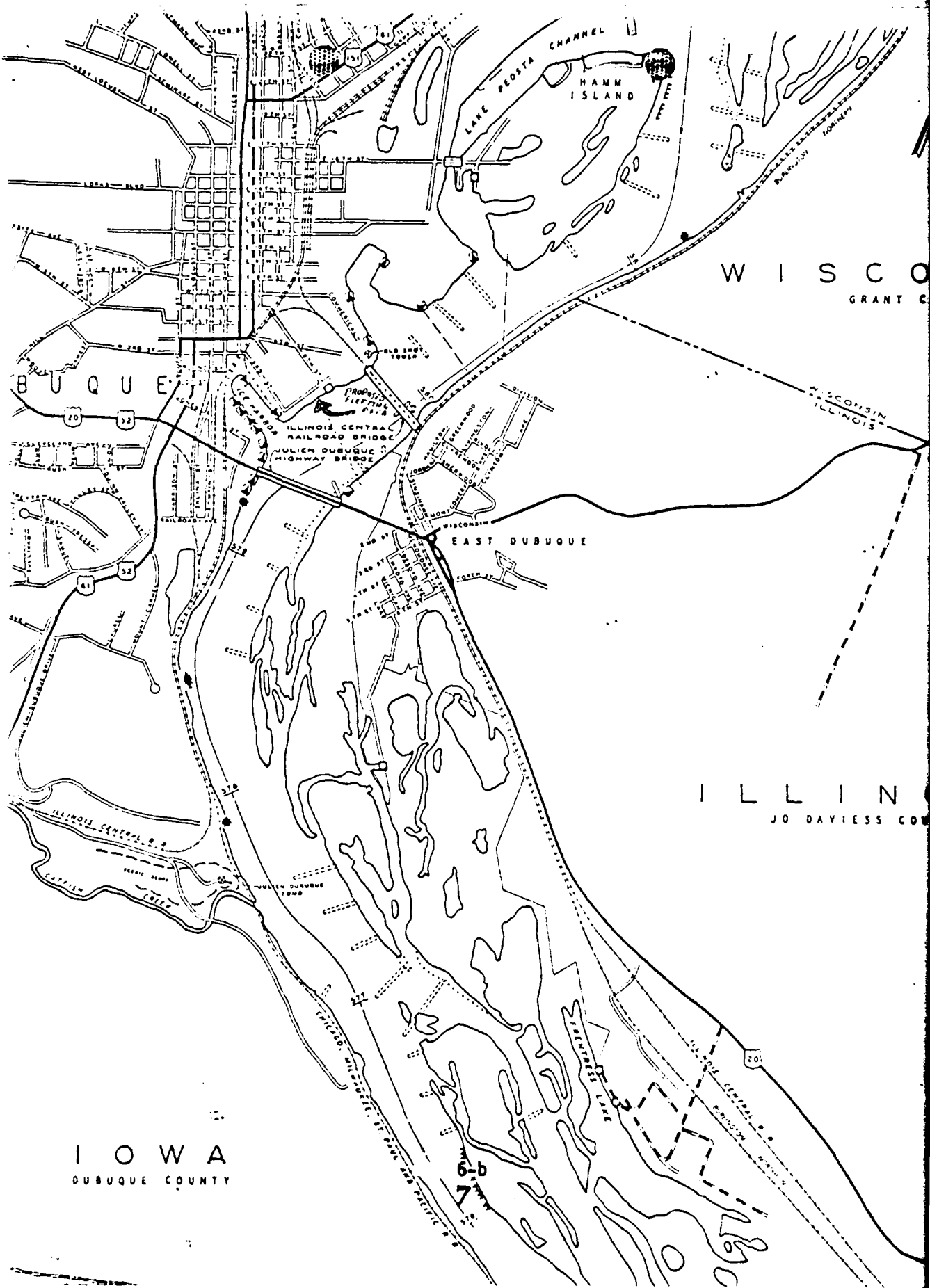
DATE _____

Transferee hereby agrees to comply with the terms and conditions of this permit.

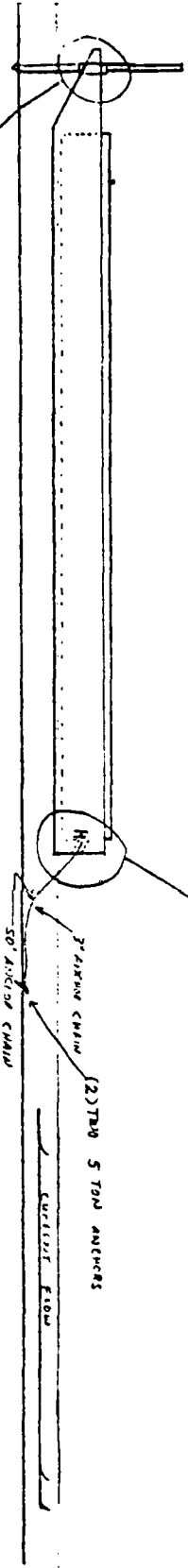
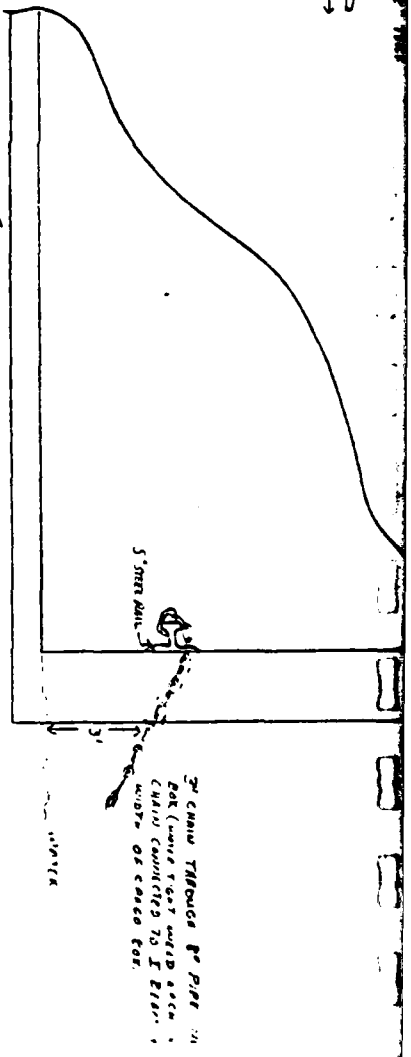
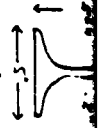
TRANSFEREE

DATE _____



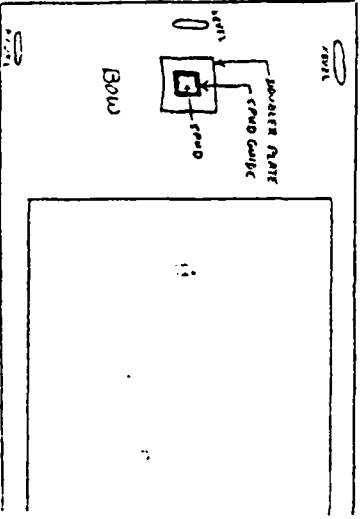
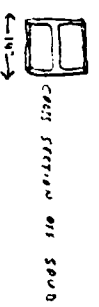
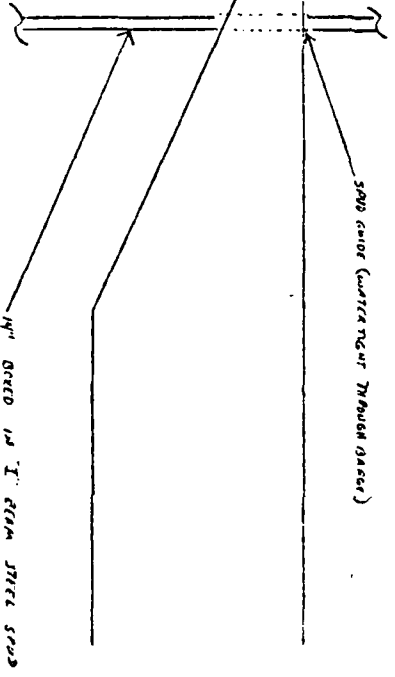


5" STEEL PIPE
35' LONG



TOP VIEW

800



WISCONSIN BRIDGE LINE, INC.
PERMIT NO. 1. # 06960

CONSTRUCTION A

NCROD-S-070-0X6-1-07015

JUL 26 1978

Mr. Robert D. Hudson
Manager, Cassville River Terminal
Wisconsin Barge Line, Inc.
R. R. #1, Box 39
Cassville, Wisconsin 53806

Dear Mr. Hudson:

Inclosed is a Department of the Army permit authorizing work in conjunction with the construction of a barge fleetling, cleaning and repair facility at approximate Mississippi River mile 580.6 at the downstream end of Hamm Island in Dubuque, Iowa.

Also inclosed is a "Notice of Authorization" which must be posted at the construction site.

If any material change in the plans or the work authorized herein are found to be necessary, revised plans must be submitted to this office for the District Engineer's approval before work thereon is begun. A representative of this office will make periodic inspections of the work.

The cooperation you have shown during the processing of your permit is deeply appreciated.

Should you have any questions pertaining to your permit, or if we can be of assistance in any of your future projects, please contact our Regulatory Functions Branch by letter, or telephone Mr. Cecil Deitrich, 309/788-6361, extension 213.

Sincerely yours,

- 2 Incl
1. Permit No. 07015
2. Notice of Authorization

HENRY G. PFIESTER, P.E.
Chief, Operations Division

cc: District File (OD)
OD-S

Encl 6-c

Application No. NCROD-S-070-0X6-1-07015

Name of Applicant Wisconsin Barge Line, Inc.

Effective Date JUL 26 1978

Expiration Date (If applicable) 31 December 1981

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 28 April 1978 for a permit to:

(XX) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Wisconsin Barge Line, Inc.
Box 105
Cassville, Wisconsin 53806

◀ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to perform work in conjunction with the construction of a barge fleetling, cleaning and repair facility. A 100' x 40' spud barge with crane will be anchored off the main stream and utilized for cleaning and repairs. A fleetling area will be located upstream and will utilize 2 concrete deadmen located on shore to moor a maximum of 8 barges in a 4-wide by 2-long configuration. The fleetling area will maintain a minimum distance of 250' from the navigation channel.

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in the Mississippi River, approx. mile 580.6

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

at Section 19, Township 89 North, Range 3
East in Dubuque, Dubuque County, Iowa,
(at the downstream end of Hamm Island).

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks);

Location Map No. 07015, sheet 1 of 2; and Project Map No. 07015, sheet 2 of 2.

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions I or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not ~~started~~^{started} on or before 1st day of July, 19 79 (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 31st day of December, 19 81 (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for 0 years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

If the construction work uncovers an item or items that may be of historic or archaeological interest or if important new historical data comes to light in the project area, the work should be delayed sufficient time to notify the State Historic Preservation Officer, Iowa State Historical Department, 26 East Market Street, Iowa City, Iowa (Telephone: 319/353-4186), and to allow the significance of the discovery to be determined.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

Robert D. [Signature]
PERMITTEE

July 26, 1978
DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

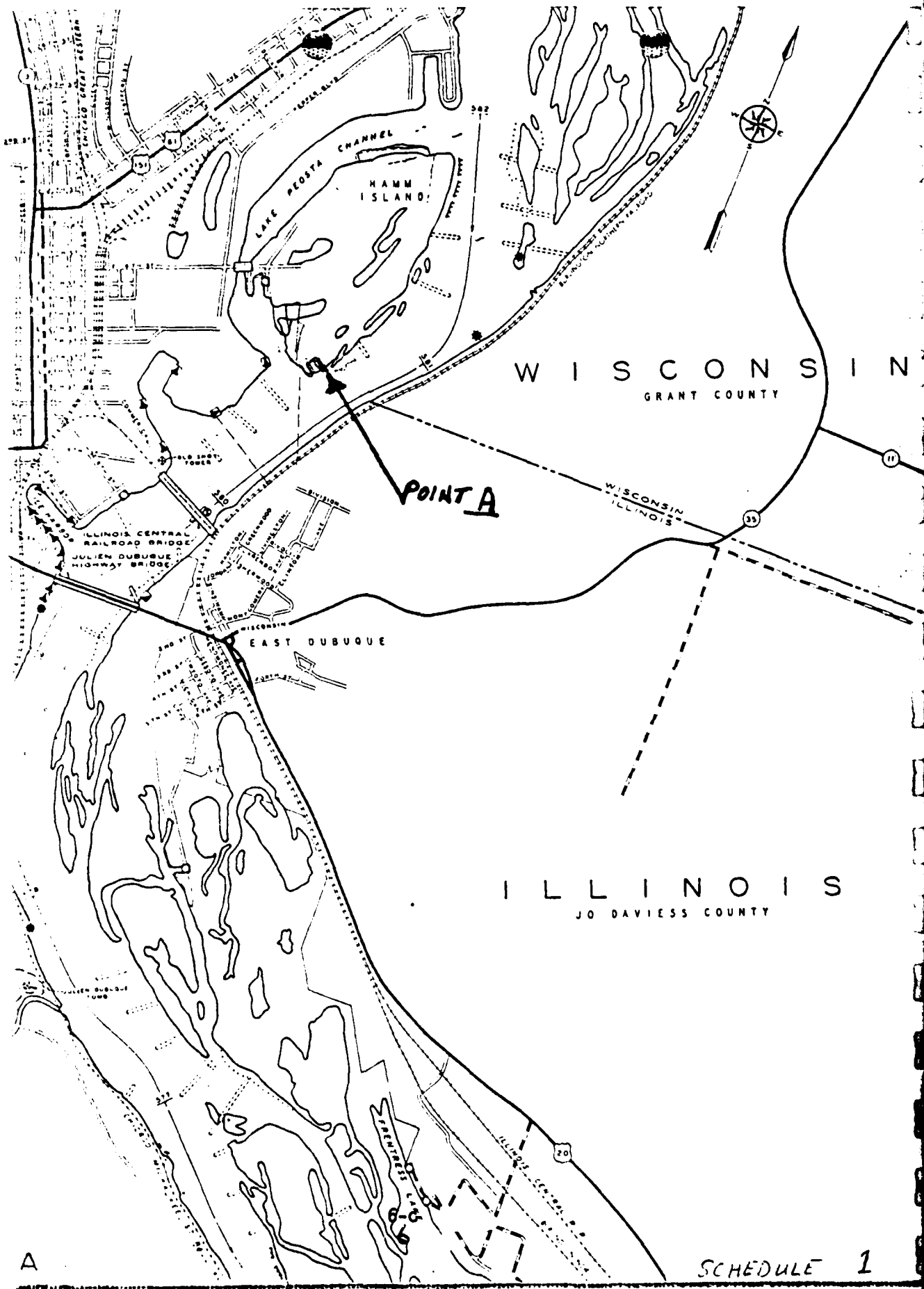
Henry D. Lykan P.E.
DANIEL L. LYKAN, Colonel
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

26 July 1978
DATE

Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFEREE

DATE



A

SCHEDULE 1

CITY ISLAND
AREA "C"

ACCESS ROAD

DISPOSAL
CONTAINER

70'

SPUD BARGE
WITH CRANE
HOPPER BARGE
BEING CLEANED

DEAD
MAN

12" WIRE

DEAD
MAN

150'

CURRENT
FLOW

140'

35' X
175'

MAXIMUM FLEET
CONFIGURATION

280' SS

350' SS

6-c

7

SCHEDULE 2

NCROD-S-070-0X6-1-069560

21 NOV 1978

Captain Loren A. Williams
Williams Marine Enterprise, Inc.
6725 South Concord Street
Davenport, Iowa 52802

Dear Captain Williams:

Inclosed is a Department of the Army permit authorizing work in conjunction with the construction of 14 sheet-pile mooring cells for fleetings of commercial tows at Mississippi River mile 474.3 on the Illinois side of the navigation channel near Buffalo, Iowa.

Also inclosed is a "Notice of Authorization" which must be posted at the construction site.

If any material change in the plans or the work authorized herein are found to be necessary, revised plans must be submitted to this office for the District Engineer's approval before work thereon is begun. A representative of this office will make periodic inspections of the work.

The cooperation you have shown during the processing of your permit is deeply appreciated.

Should you have any questions pertaining to your permit, or if we can be of assistance in any of your future projects, please contact our Regulatory Functions Branch by letter, or telephone Mr. Cecil Deitrich, 309/788-0361, extension 213.

Sincerely yours,

- 2 Incl
1. Permit No. 068560
2. Notice of Authorization

HENRY G. PFIESTER, P.E.
Chief, Operations Division

cc: District File (OD)
OD-S

Encl 6-d
1

Application No. NCROD-S-070-0X6-1-06956
Name of Applicant Williams Marine Enterprise, Inc.
Effective Date 21 NOV 1978
Expiration Date (If applicable) 31 December 1981

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 19 April 1978 for a permit to:
(XX) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

(XX) Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1062; P.L. 92-532);

Captain Loren A. Williams
Williams Marine Enterprise, Inc.
6725 South Concord Street
Davenport, Iowa 52802

◀ (Here insert the full name and address of the permittee)

Is hereby authorized by the Secretary of the Army:

to construct 14 sheet-pile mooring cells for the fleetings of commercial tows. Cells will be driven to rock bottom and cut to a standard elevation of 560.0 (approx. 15 ft. above the OllW elevation). Cells will range from 20' to 24' in diameter. Each cell will be filled with sand and capped with 12" of concrete.

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in the Mississippi River, mile 474.3 on the Illinois side of the navigation channel

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

at Section 23, Township 17 North, Range 3 West of the 4th P.M. in Rock Island County, Illinois, approximately one mile east of Buffalo, Iowa.

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks);

"Proposed Mooring Facilities, Mississippi River, Pool No. 16", Dated April 1978, Sheet 1 of 1.

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

ENG FORM 1721
1 APR 74

EDITION OF JUNE 1966 IS OBSOLETE.

(ER 1145-2-303)

6-d

2

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not started on or before 1st day of July, 19 79 (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 31st day of December, 19 81 (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for 0 years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

The permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

Conditions 1, 2, and 3, listed in the attached letter from the Illinois Environmental Protection Agency, Log #C-174-78, dated 8 September 1978, are considered to be a part of this permit.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

Williams Marine Enterprise, Inc.,
Loren R. Williams, Pres.,

PERMITTEE

11-16-78
DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

F. W. Mueller, Jr.

F. W. MUELLER, Jr., Colonel

DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

11-21-78

DATE

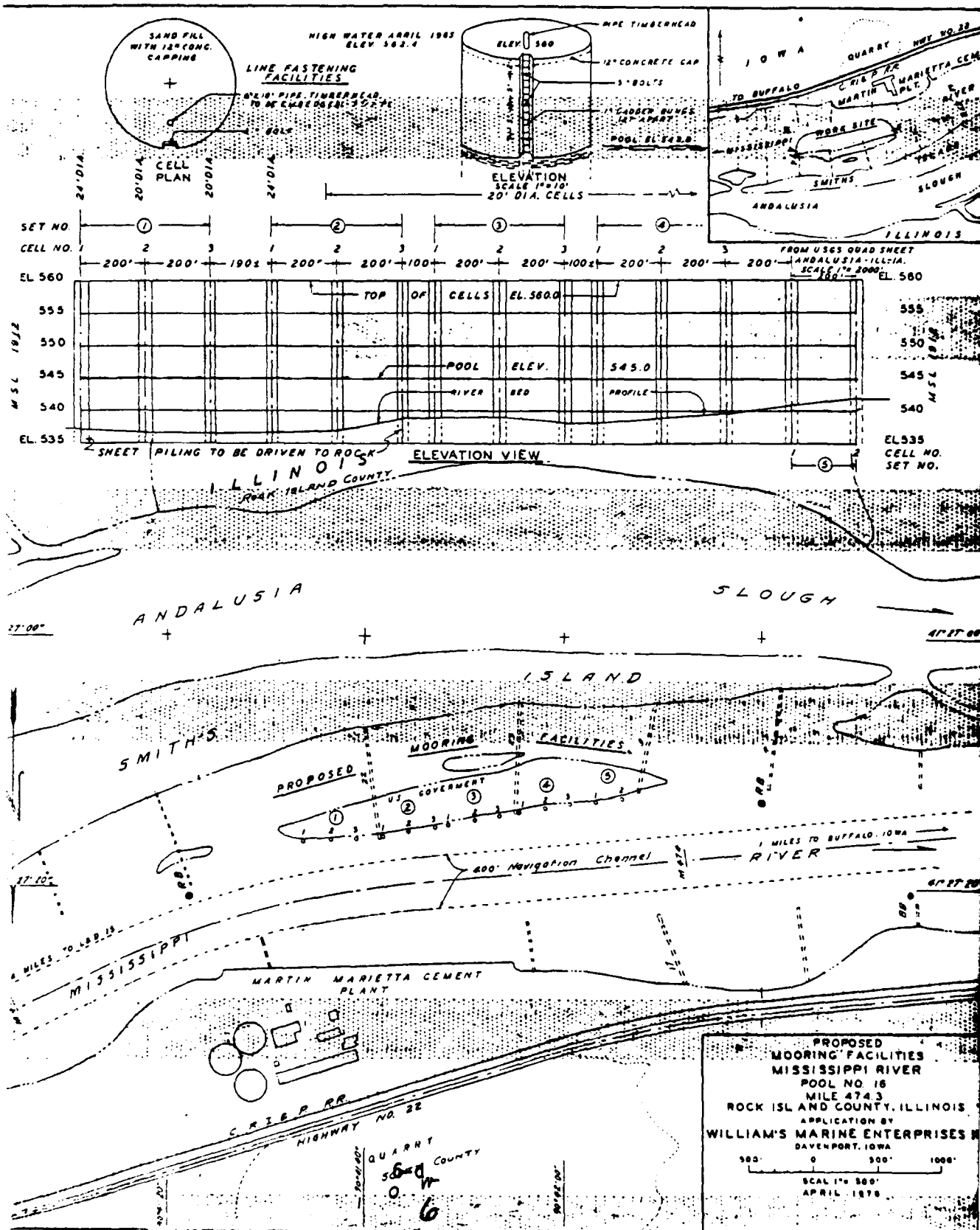
Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFEEE

DATE

6-d

5



NCROD-S-070-0X6-1-067040

12 JAN 1979

Mr. Larry W. Golubski
R & R Services, Inc.
4800 Main Street - Suite 436
Kansas City, Missouri 64112

Dear Mr. Golubski:

Inclosed is a Department of the Army permit authorizing work in conjunction with the construction of a barge fleeting area at Mississippi River mile 427.7, near Keithsburg, Illinois.

Also inclosed is a "Notice of Authorization" which must be posted at the construction site.

If any material change in the plans or the work authorized herein are found to be necessary, revised plans must be submitted to this office for the District Engineer's approval before work thereon is begun. A representative of this office will make periodic inspections of the work.

The cooperation you have shown during the processing of your permit is deeply appreciated.

Should you have any questions pertaining to your permit, or if we can be of assistance in any of your future projects, please contact our Regulatory Functions Branch by letter, or telephone Mr. Cecil Deitrich, 309/788-6361, extension 213.

Sincerely yours,

2 Incl
1. Permit No. 067040
2. Notice of Authorization

HENRY G. PFIESTER, P.E.
Chief, Operations Division

Encl 6-e
/

Application No. NCROD-S-070-0X6-1-06704
Name of Applicant Garnac Grain Co., Inc.
(d/b/a Big River Grain Elevator)
Effective Date 12 January 1979
Expiration Date (If applicable) 31 December 1981

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 18 August 1977 for a permit to:
(XX) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Mr. H. R. Schmid
Garnac Grain Co., Inc.
P.O. Box 117
Keithsburg, Illinois 61442

◀ (Here insert the full name and address of the permittee)

Is hereby authorized by the Secretary of the Army:

to perform work in conjunction with the construction of an 8 anchor pile and buoy fleeting area. Eight spud piles will be driven into the river bottom and a heavy duty chain and steel cable loop will be attached to the top of the piles for barge mooring. The chain and loop will be attached to a marker buoy. The fleeting area will cover a maximum area of 200' x 940', and will be approx. 200' upstream and downstream of the existing wing dams.

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in the Mississippi River, mile 427.7
(Iowa side of navigation channel)

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

at Section 27, Township 73 North, Range 1 West, approx. 600' off of Blackhawk Island, in Louisa County, Iowa; near Keithsburg, Illinois.

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

In accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks):

"Proposed Fleeting Area", Sheet 2, dated 8-18-77; and River Chart No. 108.

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

ENG FORM 1721 EDITION OF JUNE 1968 IS OBSOLETE.

(ER 1145-2-303)

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agree to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not started on or before 1st day of October, 1981 (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 31st day of December, 1981 (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

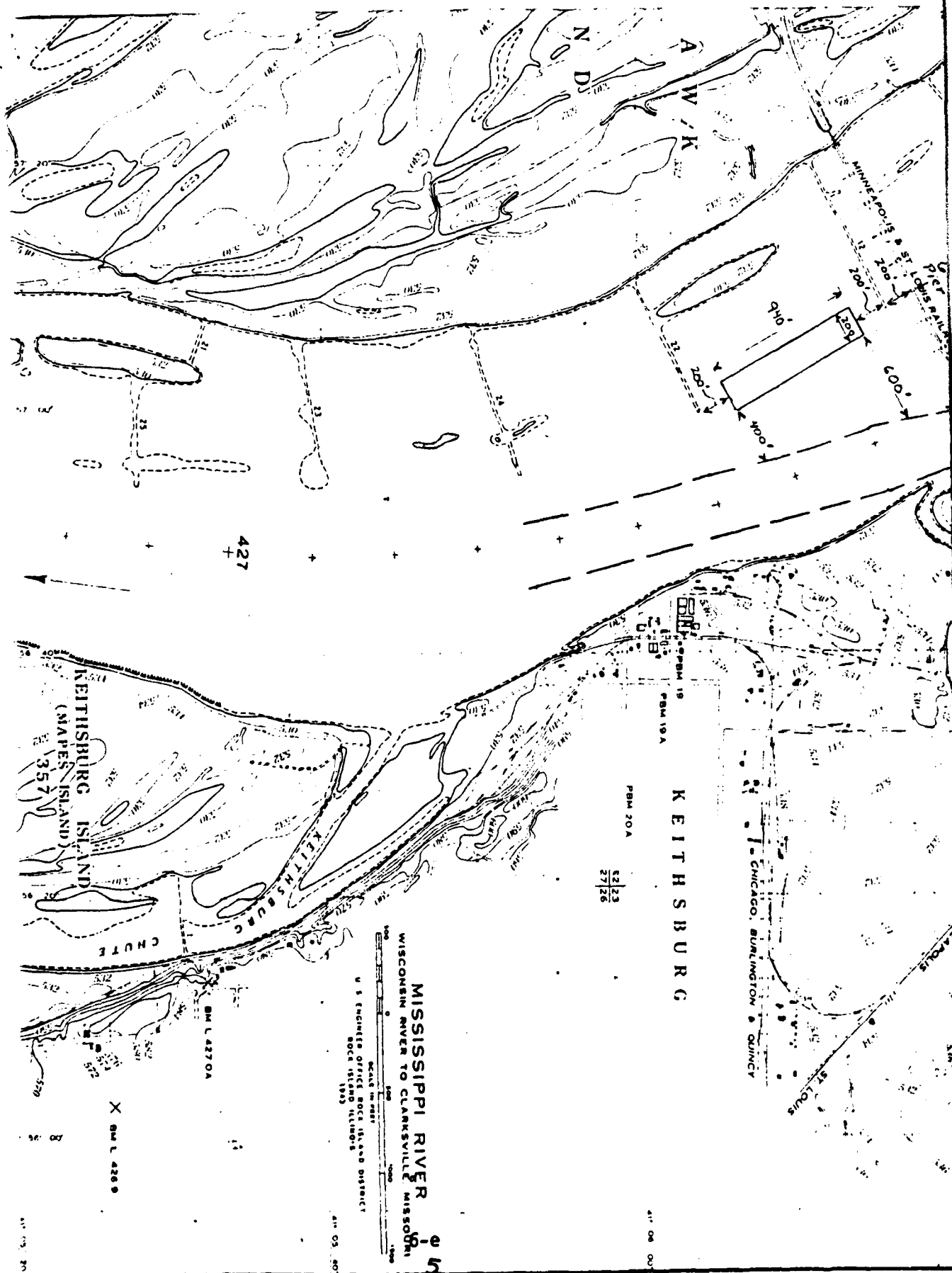
v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

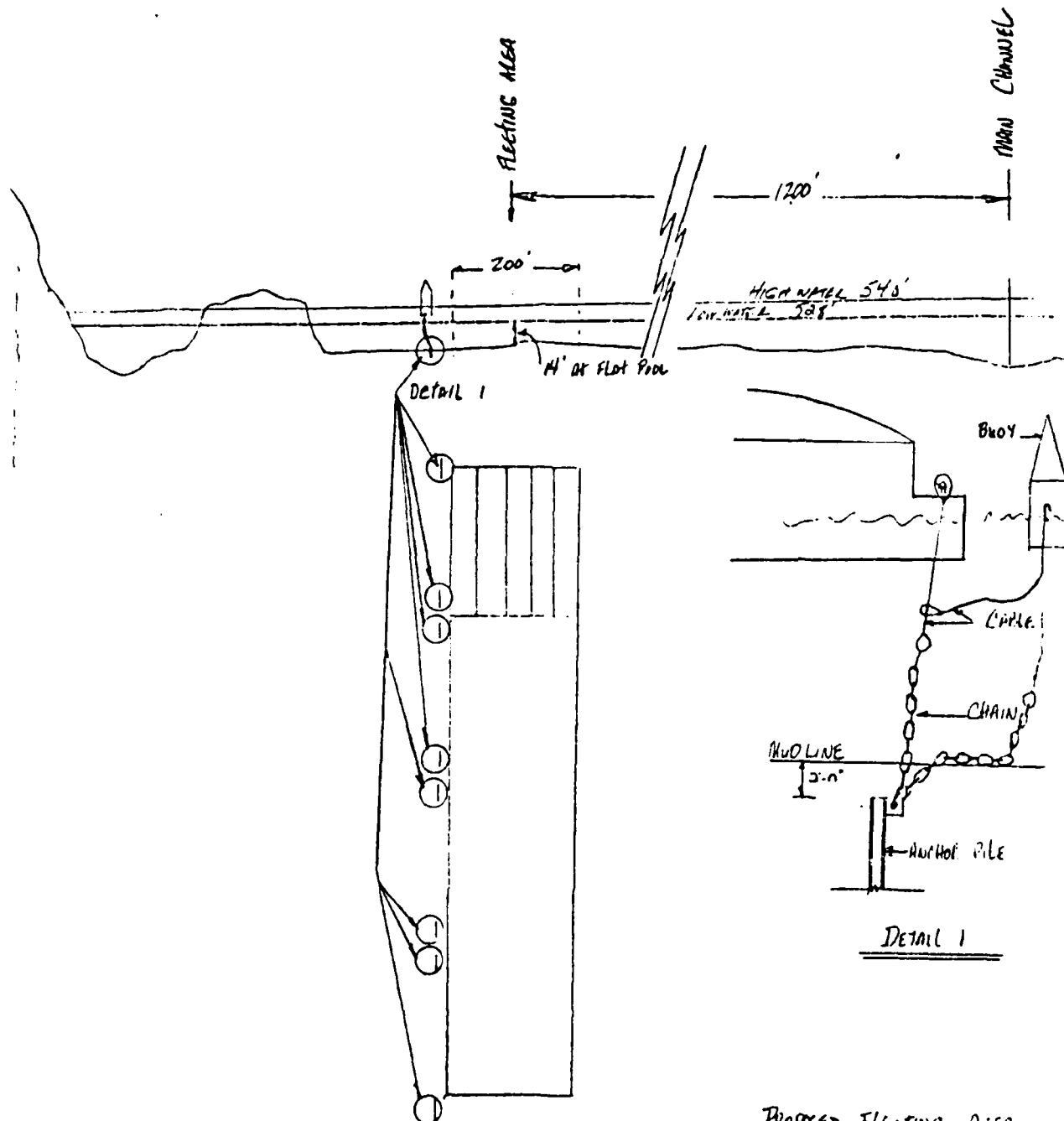
The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.





PROPOSED: FLEETING AREA
 DATUM: MEAN LOW WATER
 ADJACENT PROPERTY OWNER:
 U.S. GOVERNMENT

PROPOSED FLEETING AREA
 IN MISSISSIPPI RIVER AT
 RIVER MILE 427.7
 COUNTY OF LOUISIANA STATE OF
 IOWA. APPLICATION BY
 BARNES BRAN CO. INC. d/b/a
 DIB RIVER GRAIN ELEVATOR
 SHEET 2 OF 2. DATE 8-18-77

FLEETING
SHUCKS ISLAND
LDB RM 308.6
5 BARGES TIED OFF 2 and 3 WIDE
LITTLE VISIBLE DAMAGE



6 BARGES ARRIVING



BUNGE CORPORATION DOCK
LDB RM 310
ONE BARGE UP RIVER TIED OFF TO TREES



LOGEDON GRAIN
RDB RM 353
SHORELINE 200 - 300 YDS. DOWN RIVER

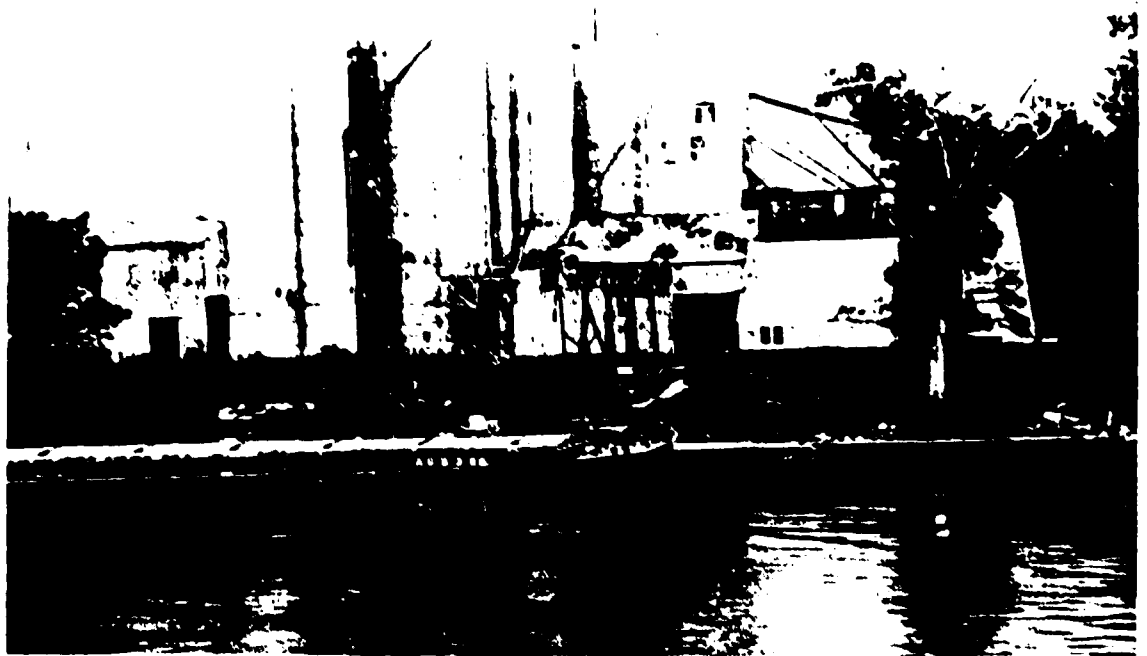


Enclosure ()

LOGEDON GRAIN
RDB RM 353
SHORELINE 200 - 300 YDS. DOWN RIVER



LOGEDON - FACILITY



LOGEDON GRAIN
RDB RM 353
JUST NORTH OF FACILITY



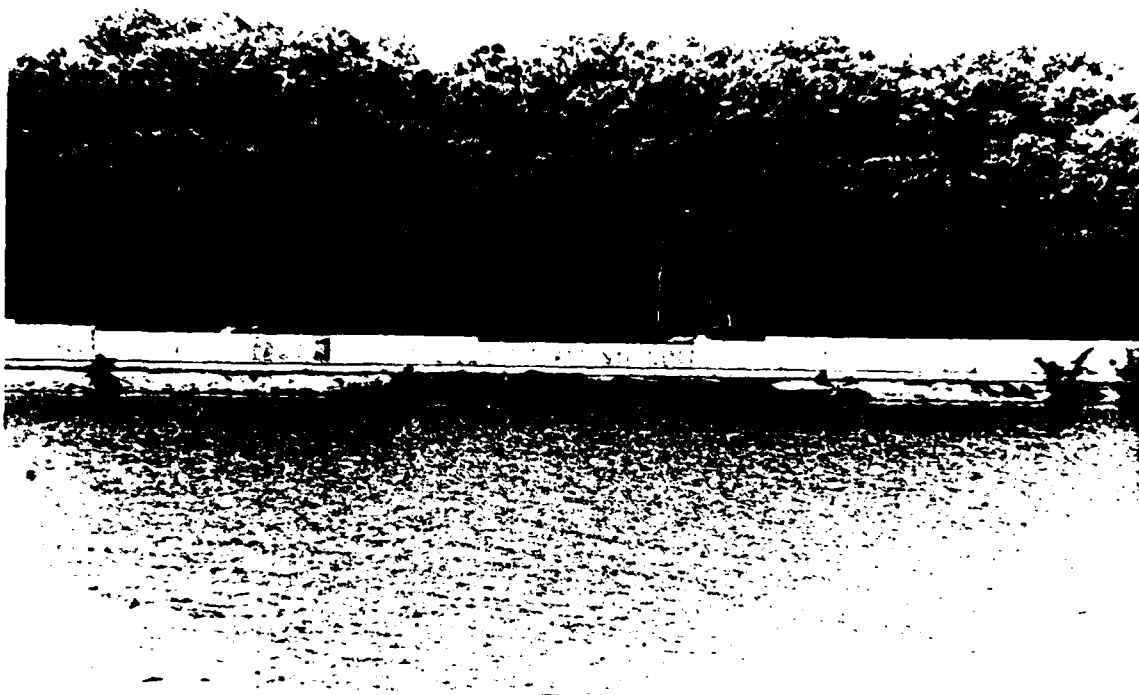
IOWA GATEWAY TERMINAL
RDB RM 371.1
FLEETING AT DOCK



IOWA GATEWAY TERMINAL
RDB RM 371.1
FACILITY



IOWA GATEWAY TERMINAL
RDB RM 371.1
ONE BARGE TIED OFF TO BANK
2000 YDS. UP RIVER OF FACILITY



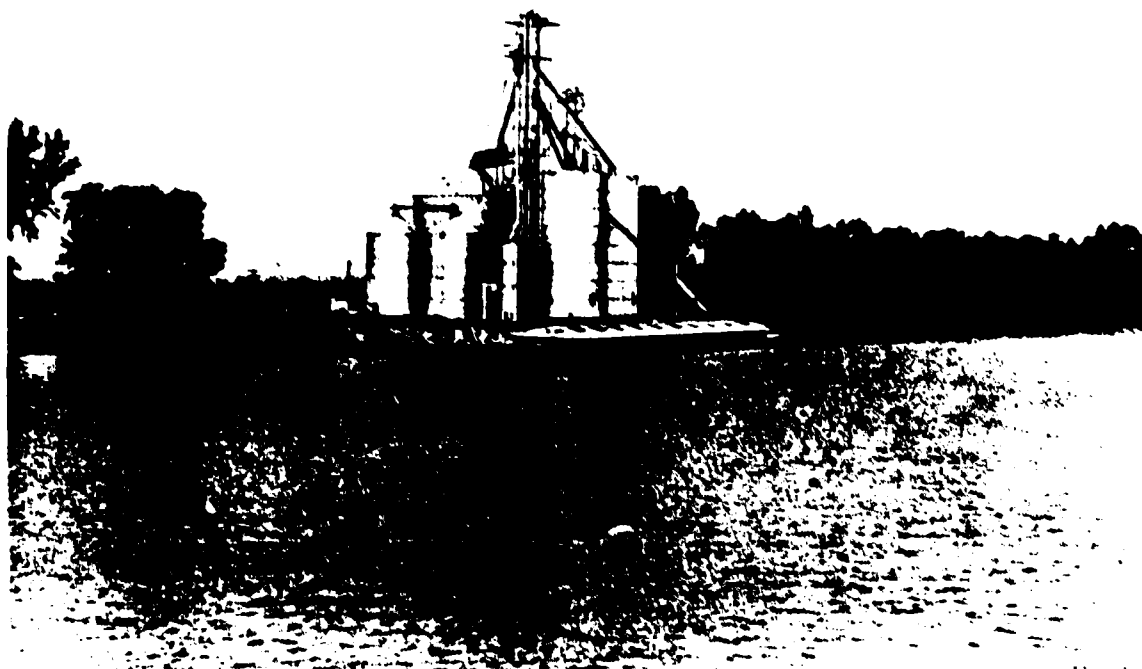
SINCLAIR DOCK
RDB RM 389
TEN BARGES AT DOCK



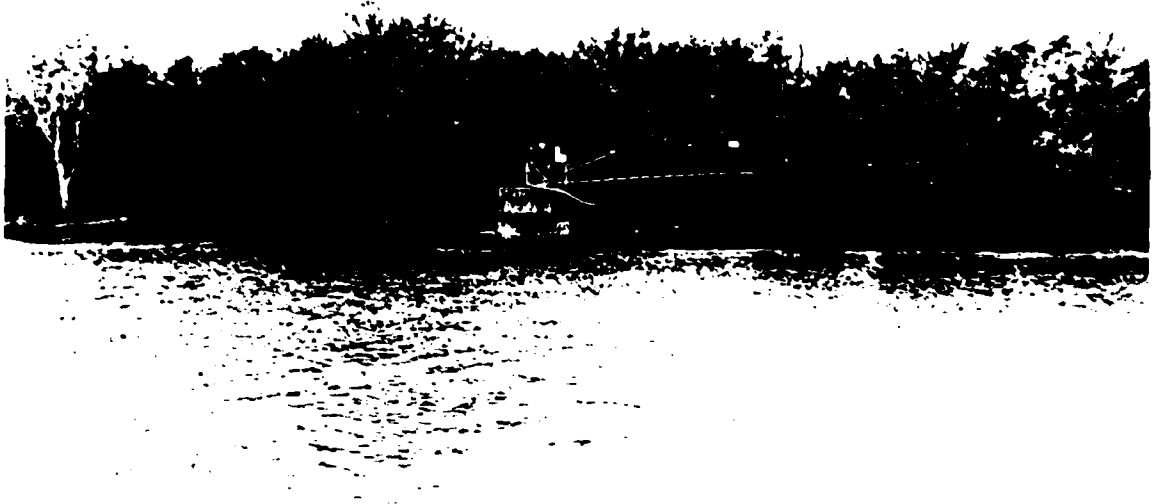
GREENBAY GRAIN COMPANY DOCK
RDB RM 390
FACILITY HAS SMALL DOCK, BUT MOST
BARGES ARE TIED OFF TO TREES.



GREENBAY GRAIN COMPANY DOCK
RDB RM 390
FACILITY HAS SMALL DOCK, BUT MOST
BARGES ARE TIED OFF TO TREES.



TULOMA POWER PLANT DOCK
RDB RM 399.4
SOME MOORING TO TREES NORTH
AND SOUTH OF DOCK.



FLEETING
LDB OF ISLAND RM 405
TWENTY-ONE BARGES IN FLEET AT TIME OF CHECK.
LITTLE VISIBLE DAMAGE TO SHORELINE.



FLEETING
LDB OF ISLAND RM 405
TWENTY-ONE BARGES IN FLEET AT TIME OF CHECK.
LITTLE VISIBLE DAMAGE TO SHORELINE.



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Enclosure (7)

FLEETING
LDB OF ISLAND RM 405 (CON'T.)



FLEETING - LDB RM 407.5



FLEETING
LDB RM 407.5 (CON'T)



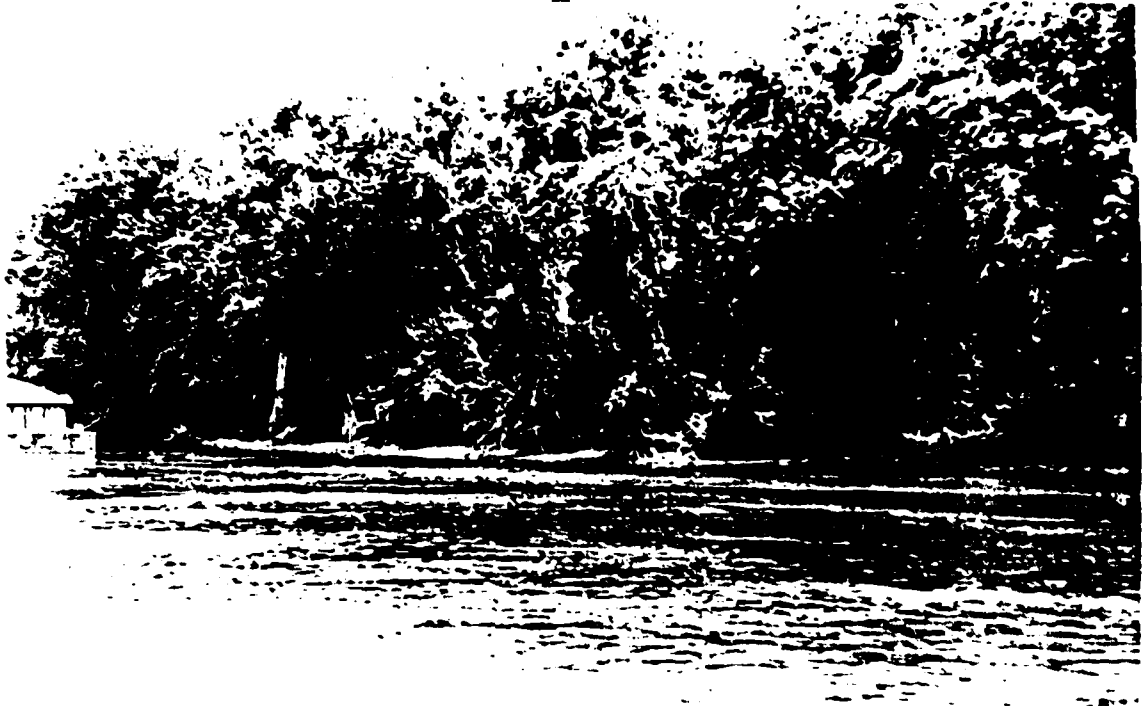
FLEETING
LDB RM 407.5 (CON'T.)



FLEETING AREA
MUSCATINE ISLAND
LDB RM 453.4 - 454.6



FLEETING AREA
MUSCATINE ISLAND
LDB RM 453.4 - 454.6
(CON'T.)



FLEETING AREA
MUSCATINE ISLAND
LDB RM 453.4 - 454.6
(CON'T.)



FLEETING AREA
MUSCATINE ISLAND
LDB RM 453.4 - 454.6
(CON'T.)



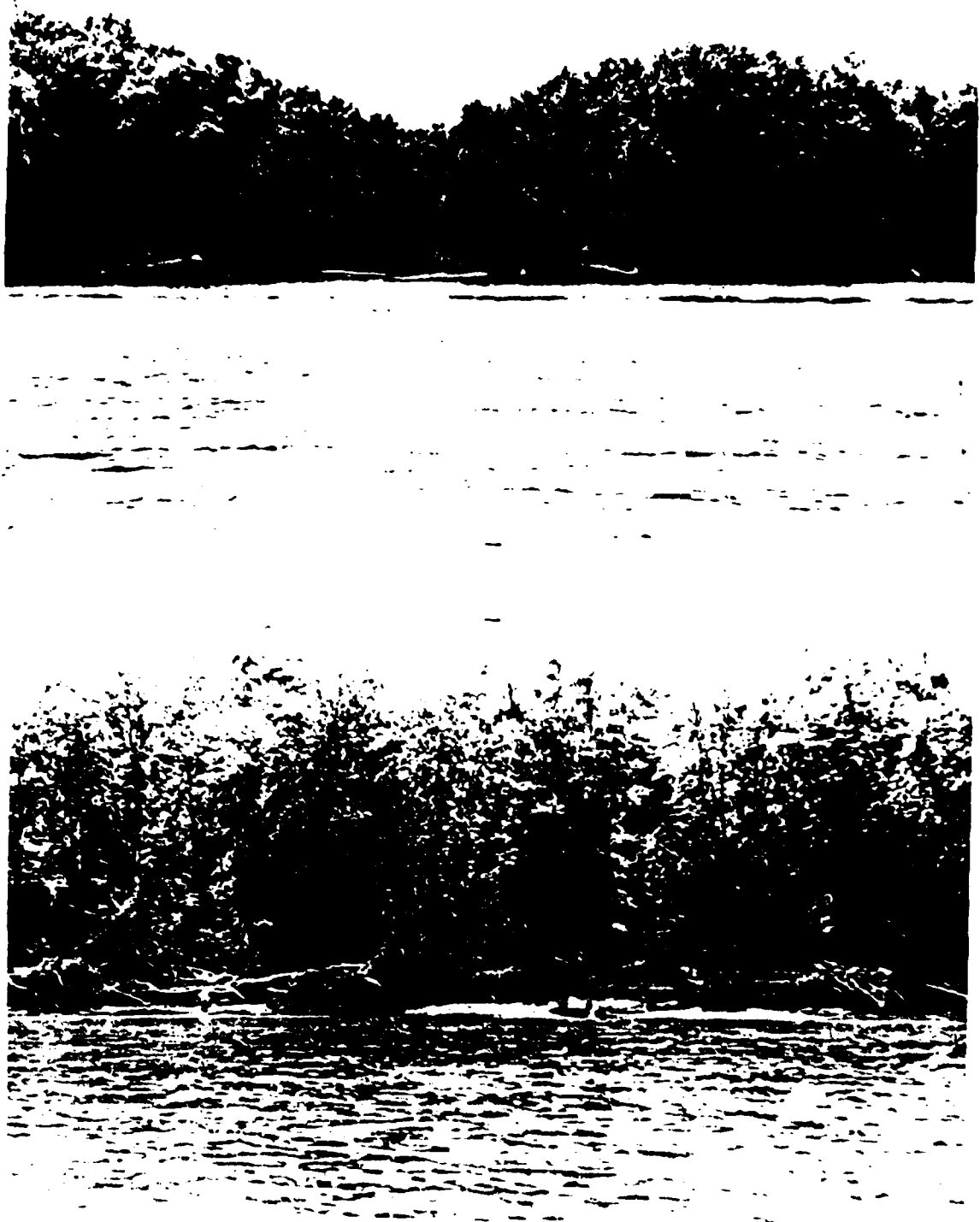
FLEETING AREA
MUSCATINE ISLAND
LDB RM 453.4 - 454.6
(CON'T.)



NATURAL SHORELINE
NORTH OF MUSCATINE HIGHWAY BRIDGE
LDB RM 455.9
NO FLEETING CAN TAKE PLACE DUE TO SHALLOW WATER



NATURAL SHORELINE
NORTH OF MUSCATINE HIGHWAY BRIDGE (CON'T.)



NATURAL SHORELINE
NORTH OF MUSCATINE HIGHWAY BRIDGE (CON'T.)



NATURAL EROSION
ANDALUSIA ISLAND
LDB RM 471.5 to 473



AD-A084 878

COAST GUARD DISTRICT (2ND) ST LOUIS MO

F/6 13/10

GREAT II FLEETING SURVEY FOR THE COMMERCIAL TRANSPORTATION WORK--ETC(U)

1979

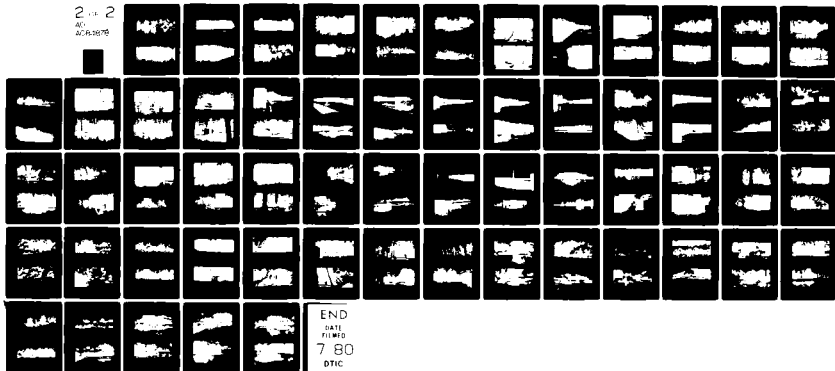
W HINES

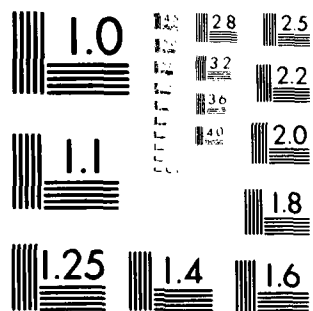
UNCLASSIFIED

NL

2 of 2

NO
ACR-3878





MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

NATURAL EROSION
ANDALUSIA ISLAND (CON'T.)



NATURAL EROSION
ANDALUSIA ISLAND (CON'T.)



NATURAL EROSION
ANDALUSIA ISLAND (CON'T.)



NATURAL EROSION
ANDALUSIA ISLAND (CON'T.)



NATURAL EROSION
ANDALUSIA ISLAND (CON'T.)



NATURAL EROSION
ANDALUSIA ISLAND (CON'T.)



FLEETING AREA
ANDALUSIA ISLAND
LDB RM 472 - 472.7



FLEETING AREA
ANDALUSIA ISLAND
LDB RM 472 - 472.7
(CON'T.)



FLEETING AREA
ANDALUSIA ISLAND
LDB RM 472 - 472.7 (CON'T.)



NATURAL SHORELINE EROSION
ANDALUSIA ISLAND
LDB RM 472 - 472.7
150 - 200 YDS. NORTH OF FLEET



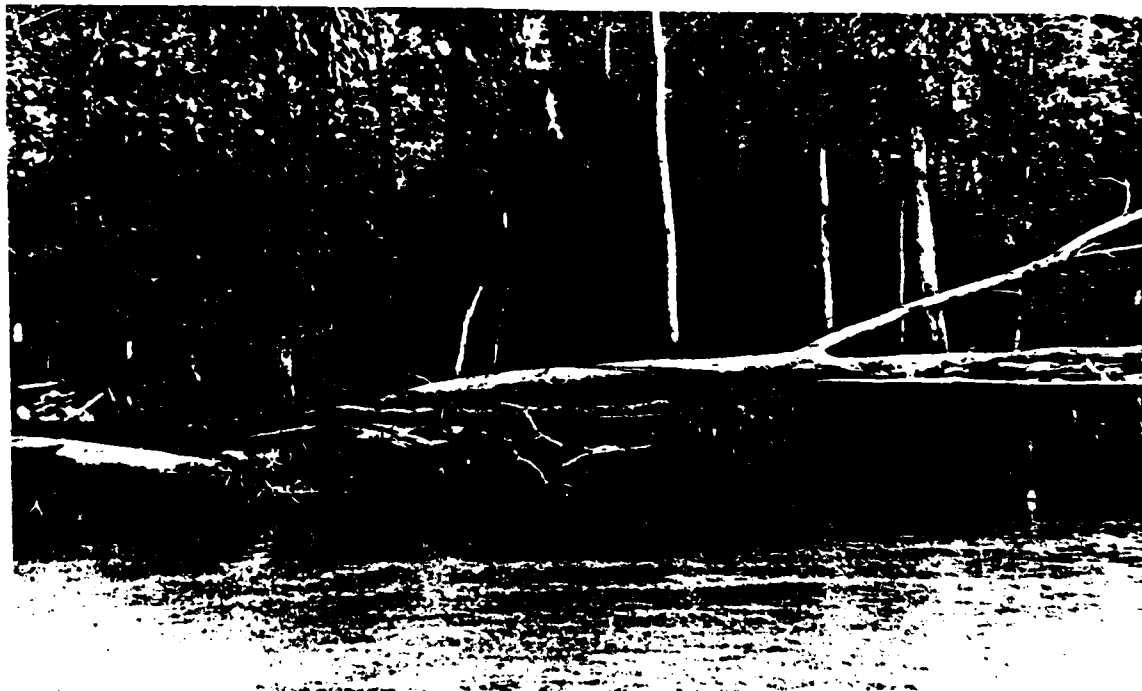
NATURAL SHORELINE EROSION
ANDALUSIA ISLAND
LDB RM 472 - 472.7
150 - 200 YDS. NORTH OF FLEET
(CON'T.)



NATURAL SHORELINE EROSION
ANDALUSIA ISLAND
LDB RM 472 - 472.7
150 - 200 YDS. NORTH OF FLEET
(CON'T.)



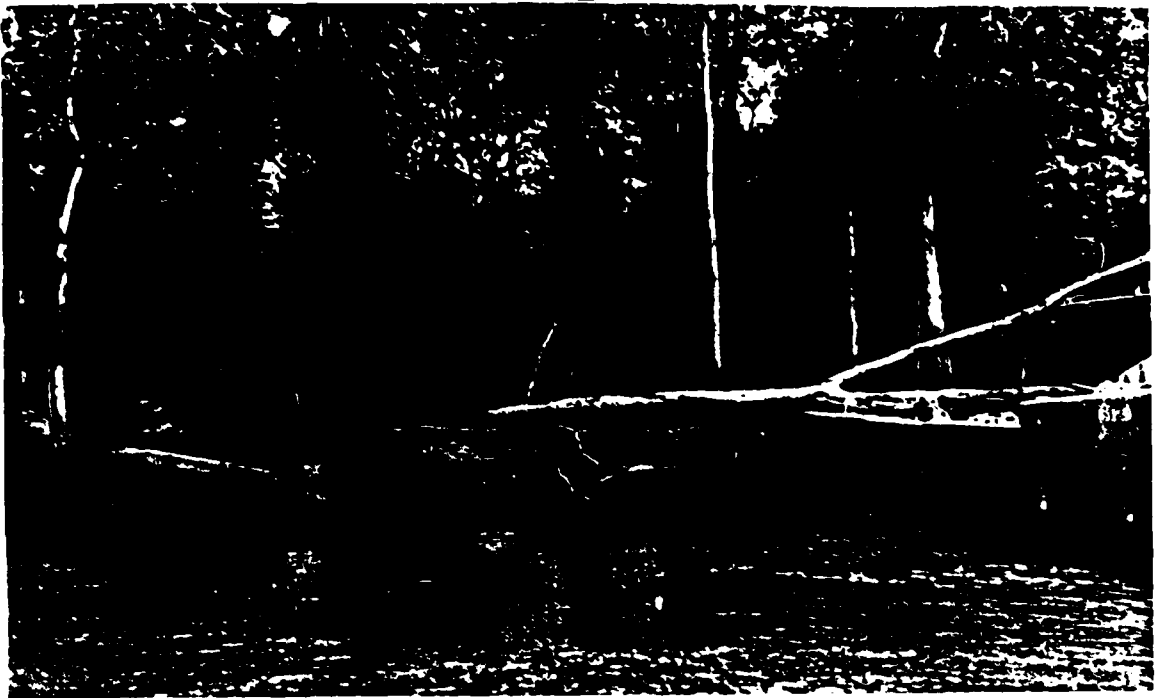
WILLIAMS MARINE FLEETING
SMITH ISLAND
LDB RM 474.6 to 475.6



WILLIAMS MARINE FLEETING
SMITH ISLAND
LDB RM 474.6 to 475.6



WILLIAMS MARINE FLEETING
SMITH ISLAND
LDB RM 474.6 to 475.6



NATURAL EROSION
SMITH ISLAND
LDB RM 474 to 474.6



NATURAL EROSION
SMITH ISLAND
LDB RM 474 to 474.6



FLEETING AREA
LDB RM 517 - 516



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Enclosure (7)

FLEETING AREA
LDB RM 517 - 516
SHORELINE 100 YDS. SOUTH OF FLEET

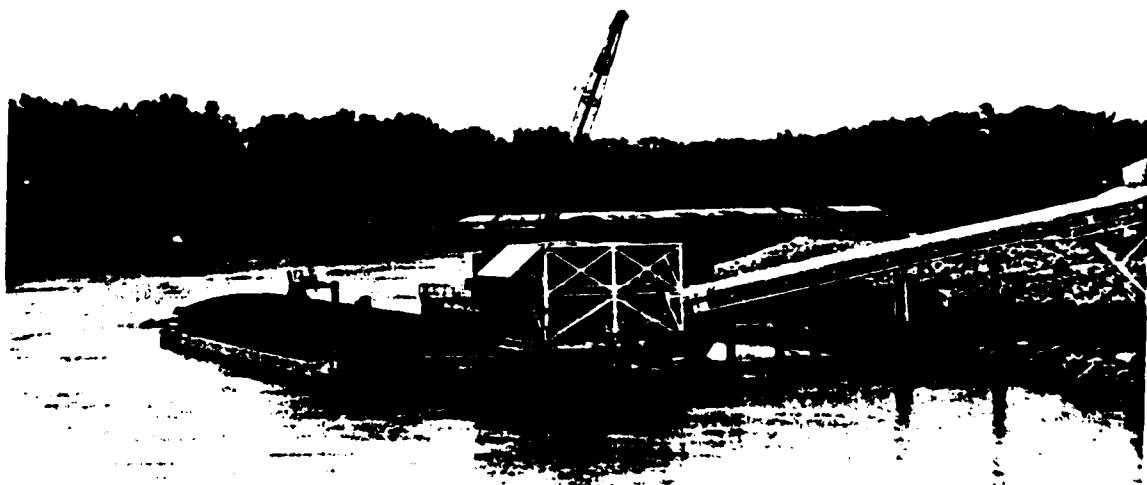


FLEETING AREA
LDB RM 517 - 516
SHORELINE 200 YDS. NORTH OF FLEET



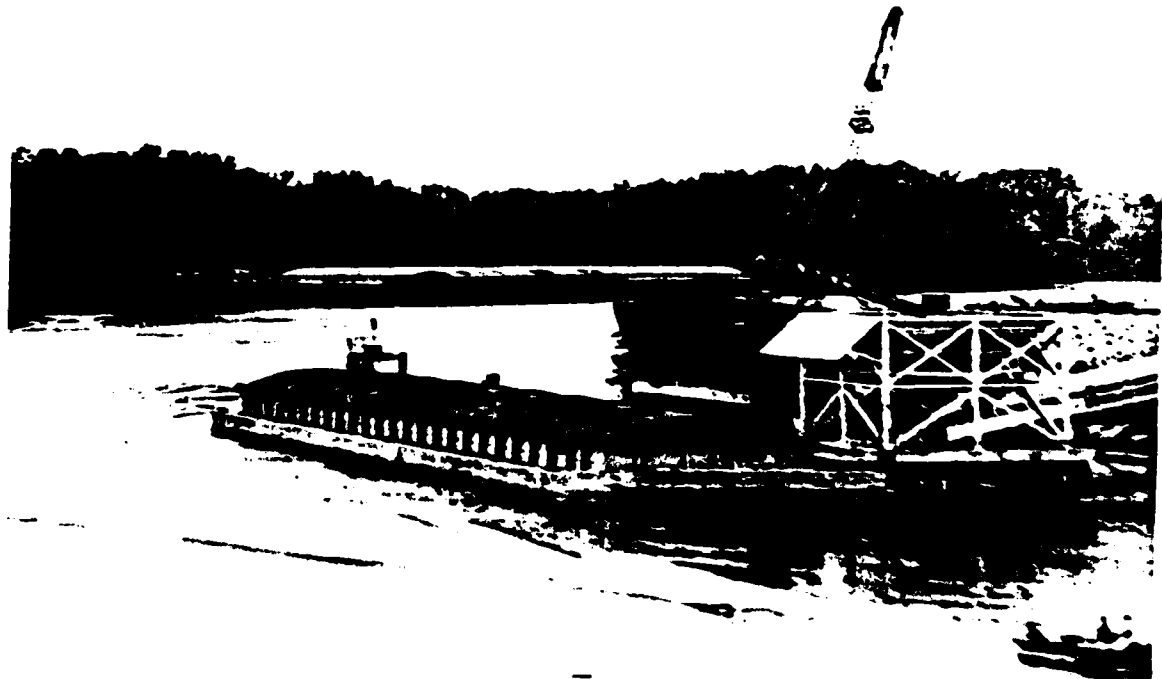
COMMERCIAL FACILITIES AND FLEETING IN
BEAVER SLOUGH AT RM 517.5

NOT A PERMITTED FLEETING AREA.
FLEETING IS DONE ON LDB OF SLOUGH.



COMMERCIAL FACILITIES AND FLEETING IN
BEAVER SLOUGH AT RM 517.5

NOT A PERMITTED FLEETING AREA.
FLEETING IS DONE ON LDB OF SLOUGH.



LEWIS AND LAWSON FLEETING
RDB OF LITTLE ROCK ISLAND
RM 517.7 SOUTH OF CLINTON R.R. BRIDGE
A PERMITTED FLEETING AREA.



LEWIS AND LAWSON FLEETING
(CON'T.)



FLEETING AREA - PERMITTED
LITTLE ROCK ISLAND
RDB RM 517.7
SUNKEN BARGES AT SOUTH END OF ISLAND.
THESE ARE SOMETIMES USED FOR FLEET TIE OFF.
PERMIT NO. 015420



FLEETING AREA - PERMITTED
LITTLE ROCK ISLAND
RDB RM 517.7
DEBRIS IS LOCATED AT SOUTH END OF ISLAND
PERMIT NO. 015420



FLEETING AREA - PERMITTED
LITTLE ROCK ISLAND RDB RM 517.7
PERMIT NO. 015420



UNKNOWN MOORING FACILITY
NEAR CLINTON R.R. BRIDGE RM 518.1



WORK BOAT & BARGE
1.5 MILES NORTH OF CLINTON, IOWA
AND CLINTON R.R. BRIDGE RM 518.1



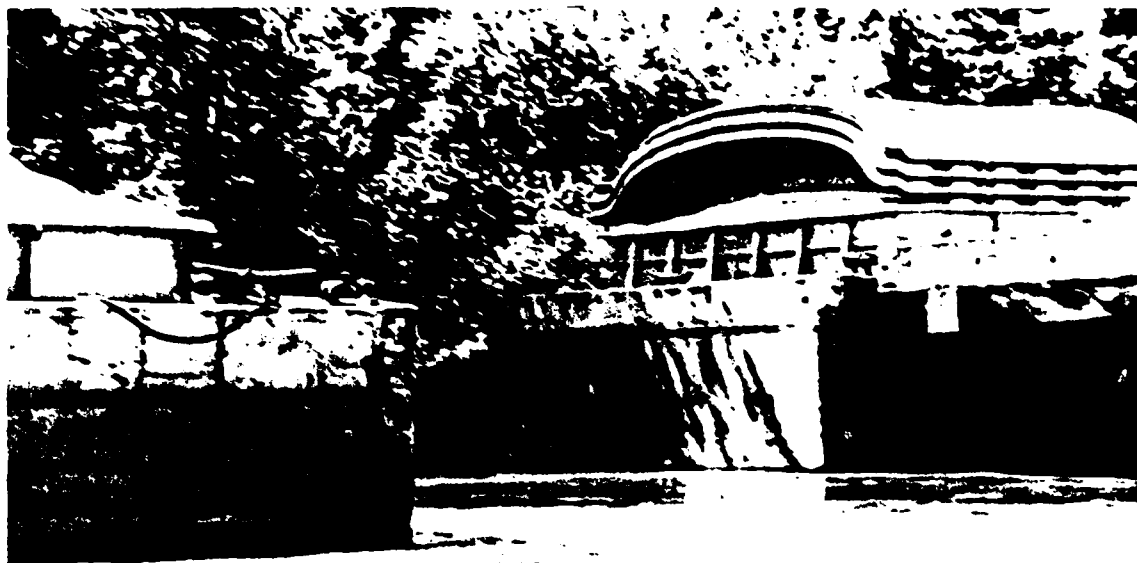
FLEETING AREA - PERMITTED
(CON'T.)



FLEETING AREA
BEAVER SLOUGH
LDB RM 517 - 518



FLEETING AREA
BEAVER SLOUGH
LDB RM 517 - 518



FLEETING AREA
(INFREQUENTLY USED)
SOUTH OF DUBUQUE, IOWA
LDB RM 575
NO VISIBLE SIGNS OF CABLE OR ROPE MARKS ON TREES.
HIGH PROBABILITY OF NATURAL SHORE DAMAGE.



FLEETING AREA (INFREQUENTLY USED)
(CON'T.)



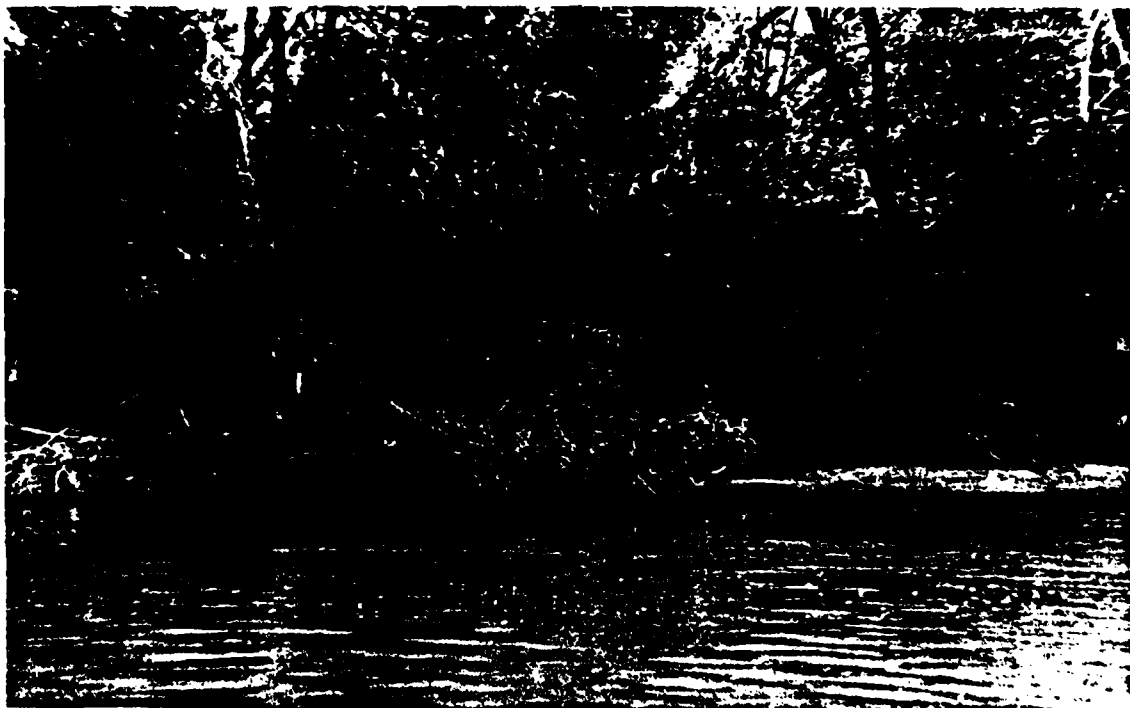
FLEETING AREA (INFREQUENTLY USED)
(CON'T.)



FLEETING AREA (INFREQUENTLY USED)
(CON'T.)



FLEETING AREA (INFREQUENTLY USED)
(CON'T.)



SHORELINE
SOUTH OF DUBUQUE, IOWA
100 YDS. ABOVE FLEETING AREA
LDB RM 578.5



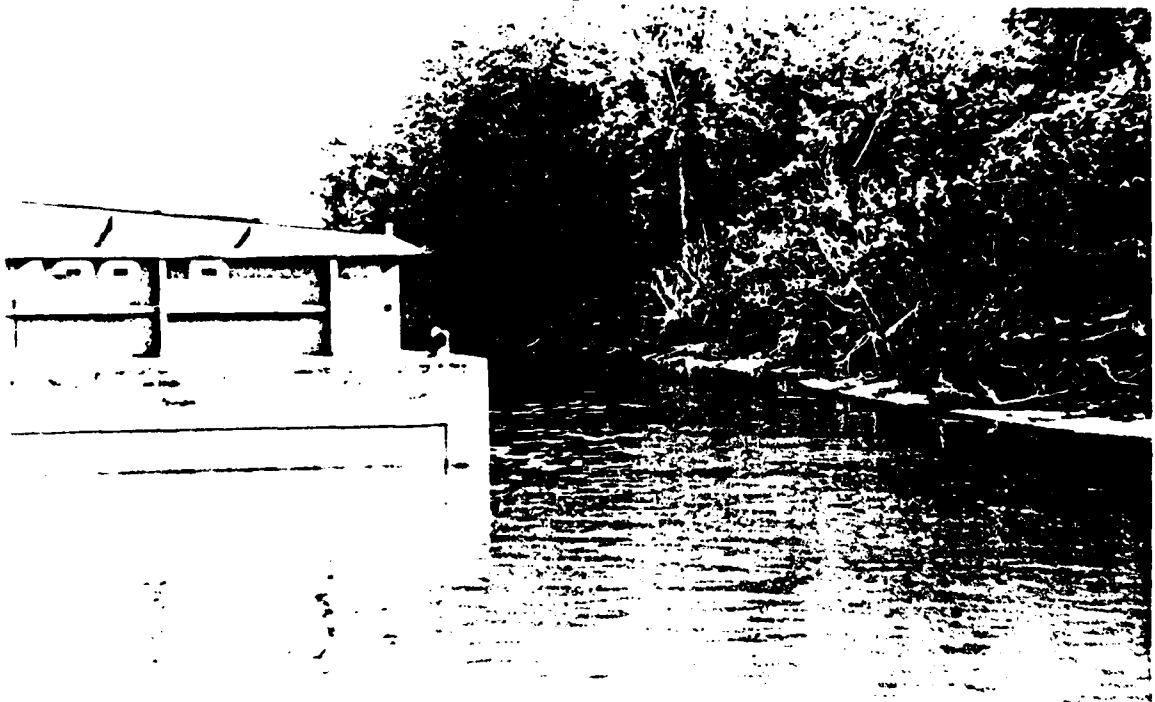
SHORELINE
(CON'T.)



FLEETING
SOUTH OF DUBUQUE, IOWA
LDB RM 578.5



FLEETING
(CON'T.)



FLEETING
(CON'T.)



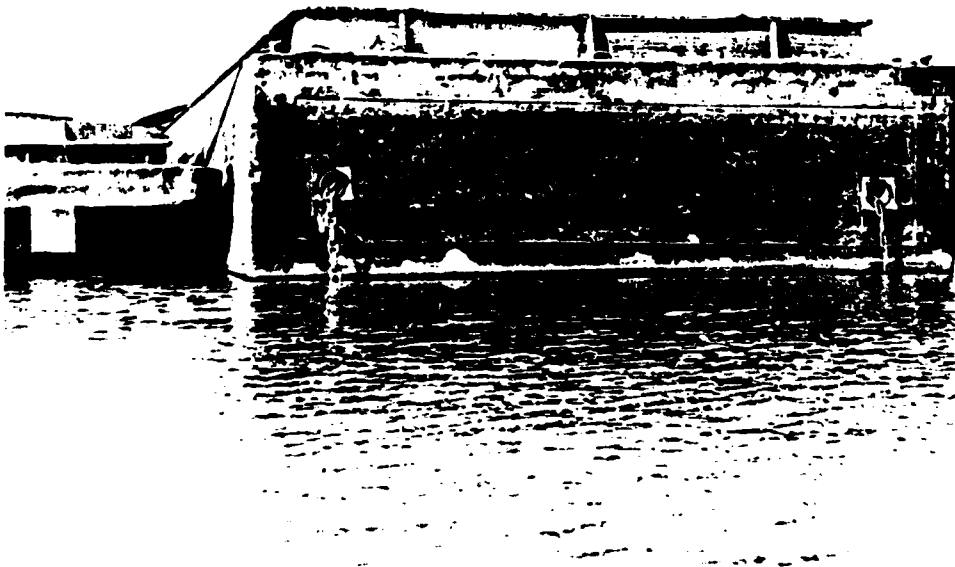
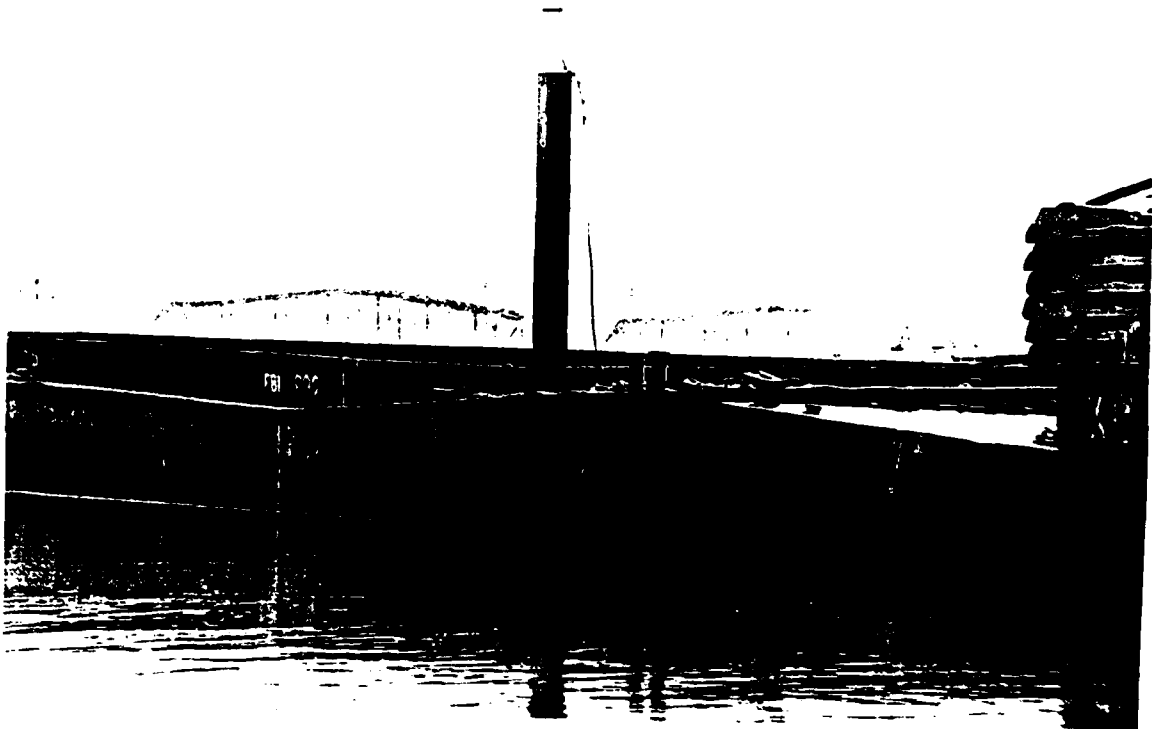
PERMITTED FLEETING AREA
PERMIT NO. 06960
DUBUQUE, IOWA
RDB RM 579.6
EXCELLENT EXAMPLE OF
IN-RIVER FLEETING



PERMITTED FLEETING AREA
(CON'T.)



PERMITTED FLEETING AREA
(CON'T.)



NATURAL EROSION
RDB RM 589.5
NO FLEETING
SHALLOW WATER



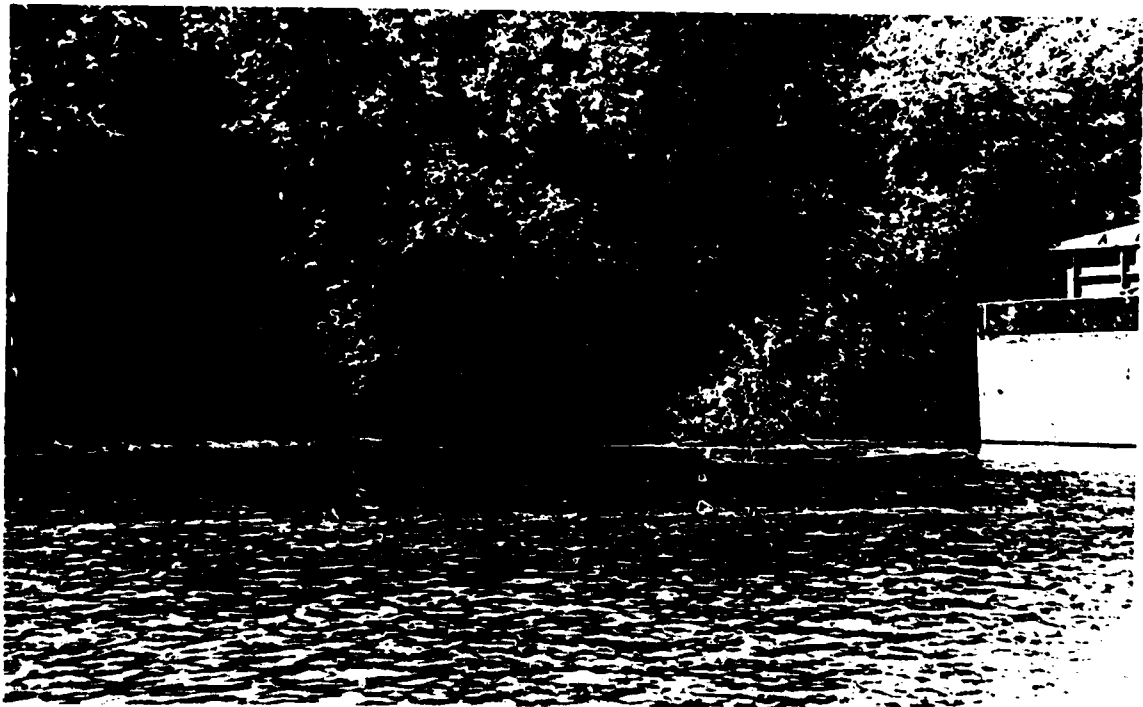
NATURAL EROSION
(CON'T.)



FLEETING AREA
CASSVILLE, WISC.
RDB RM 605.5



FLEETING AREA
(CON'T.)



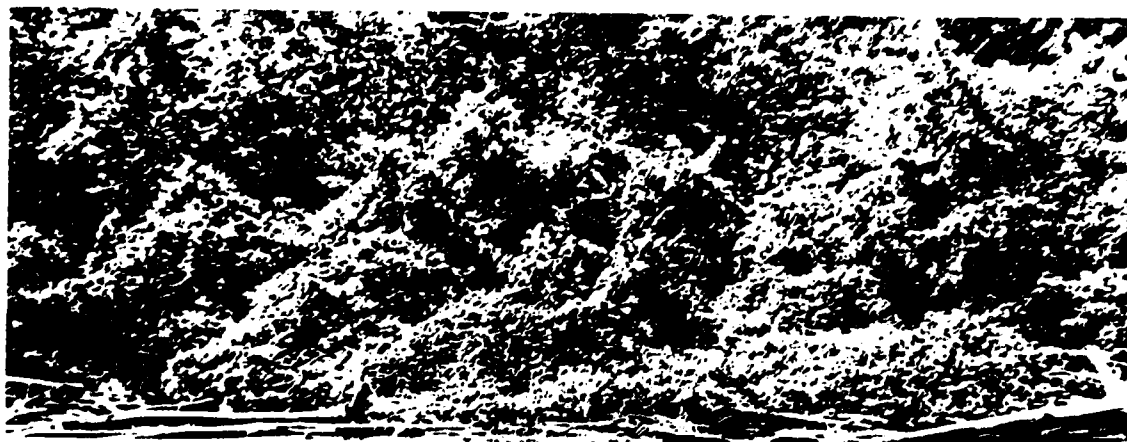
FLEETING AREA
CASSVILLE, WISC.
RDB RM 605.5
SHORELINE WITHIN
200 YDS. OF FLEET



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



NATURAL SHORELINE EROSION
RDB RM 599 - 601
NO FLEETING HAS OCCURRED IN THIS AREA.



NATURAL SHORELINE EROSION
(CON'T.)



NATURAL SHORELINE EROSION
(CON'T.)



—
FLEETING AREA (IN SLOUGH)
RDB RM 608.2
NON-PERMITTED FLEETING AREA
NO VISIBLE DAMAGE
—



FLEETING AREA (IN SLOUGH)
(CON'T.)



FLEETING AREA (IN SLOUGH)
(CON'T.)



FLEETING AREA (IN SLOUGH)
(CON'T.)



FLEETING AREA
NON-PERMITTED
RDB RM 606.5
FROM 300 YDS. NORTH TO 300 YDS. SOUTH OF FLEET.



FLEETING AREA
(CON'T)



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



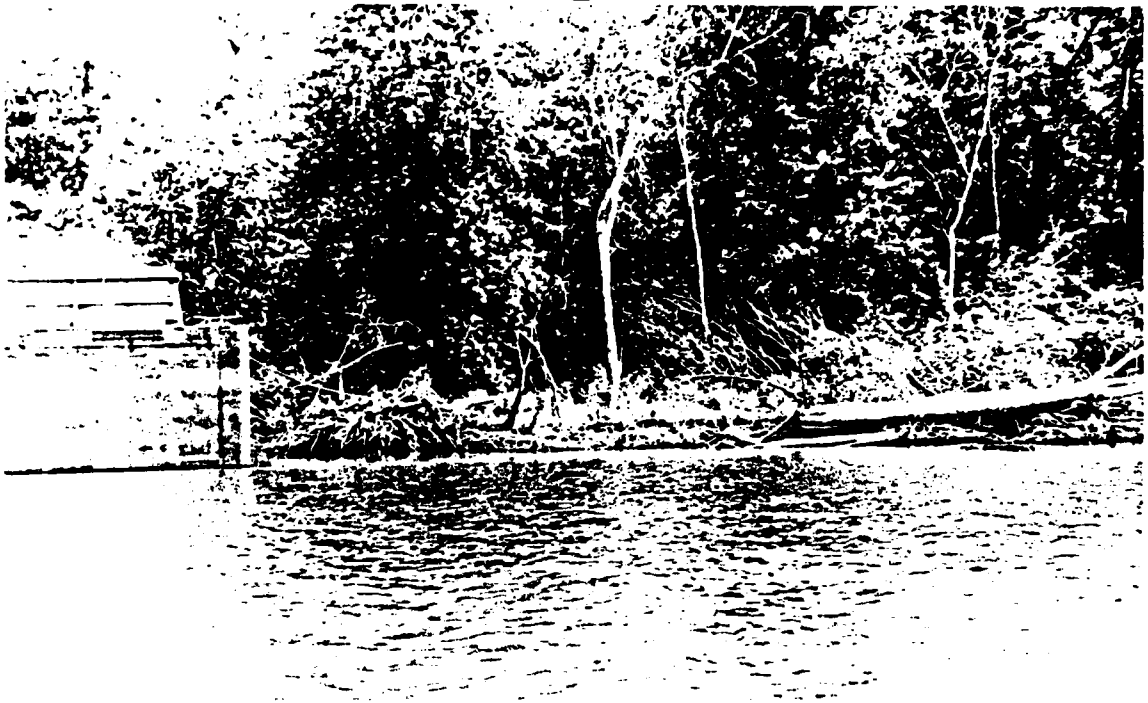
FLEETING AREA
(CON'T.)



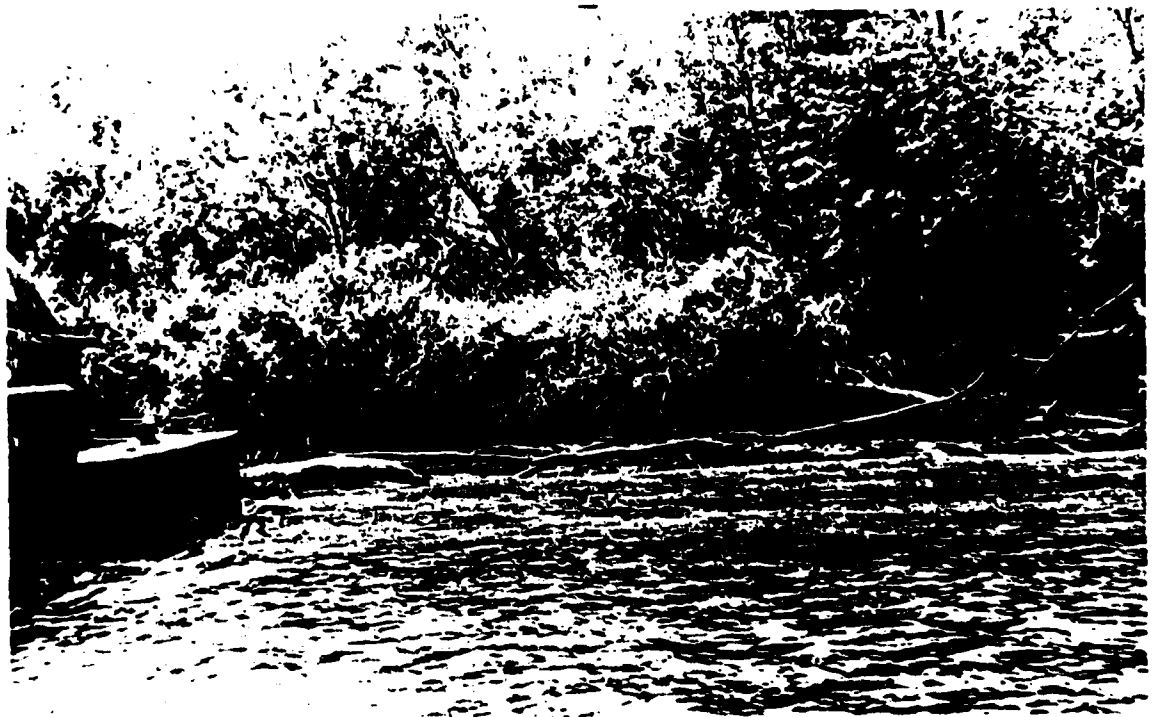
FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)



FLEETING AREA
(CON'T.)

